PROCEEDINGS OF THE PUBLIC SERVICE COMMISSION

VOL. II

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PROCEEDINGS

THE PUBLIC SERVICE COMMISSION.

VOLUME II.

PROCEEDINGS RELATING TO THE NORTH-WESTERN PROVINCES AND OUDH.

SECTION I.—NOTICE AND CORRESPONDENCE INVITING EVIDENCE; AND INFORMATION SUPPLIED BY THE GOVERNMENT OF THE NORTH-WESTERN PROVINCES AND OUDH.

SECTION II.—MINUTES OF EVIDENCE TAKEN IN THE NORTH-WESTERN PROVINCES (SITTINGS AT ALLAHABAD).

SECTION III.—REPLIES OF PERSONS NOT EXAMINED AND OF ASSOCIATIONS AND SOCIETIES, AND OTHER SELECTED PAPERS.

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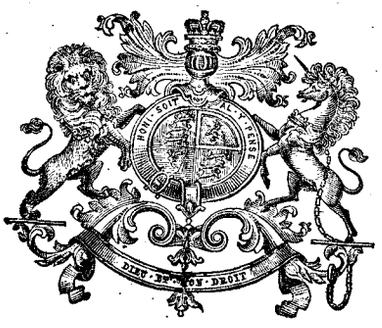

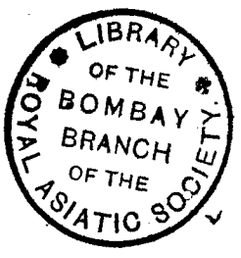

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PROCEEDINGS

OF

THE PUBLIC SERVICE COMMISSION.

NORTH-WESTERN PROVINCES AND OUDH.

VOLUME II.—SECTIONS I—III.

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Note.—The letters C.S., S.C.S. and U.S. stand for Covenanted Civil Service, Statutory Service, and Uncovenanted Service respectively.

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ERRATA.

VOLUME II.—SECTION II.

Page 13, *Question* 178, *line* 1. *For* "go in for" *read* "taken advantage of", and *in line 6, for* "this" *read* "the".
„ 13, „ 179, „ 5. *For* "go in" *read* "compete".
„ 14, „ 206, „ 2. *Omit* "the".
„ 14, „ 213, „ 1. *For* "t his" *read* "this".
„ 15, „ 258, „ 1. *For* "that" *read* "whether", and *in line 3 for* "that a strong" *read* "close".
„ 20, „ 340, „ 3. *For* "ace" *read* "race".
„ 23, „ 422, „ 2. *For* "with the" *read* "to those gained by".
„ 25, „ 445, „ 2. *Omit* "s" in "members".
„ 26, „ 451, *last line*. *For* "in" *read* "and".
„ 31, „ 552, *line* 10. *For* "also. The" *read* "also that the".
„ 35, „ 596, „ 1. *For* "presen" *read* "present".
„ 35, „ 598, „ 1. *For* "go in for" *read* "take advantage of".
„ 36, „ 611, „ 1. *For* "whom" *read* "who".
„ 36, „ 616, „ 2. *For* "also" *read* "both".
„ 38, „ 647, „ 1. *Omit* "you say".
„ 38, „ 651, „ 2. *After* "executive" *insert* "and judicial".
„ 41, „ 709, „ 2. *Omit* "of".
„ 42, „ 721, „ 4. *For* "otherwise" *read* "other".
„ 43, „ 757, „ 2. *For* "a" *read* "the".
„ 43, „ 763, „ 9. *For* "stick to" *read* "abide by".
„ 45, „ 775, „ 11. *Insert* "a" after b in "Allahabd".
„ 45, „ 780, „ 2. *For* "would" *read* "should".
„ 46, „ 790, „ 5. *For* "fufil" *read* "fulfil".
„ 46, „ 793, „ 7. *Omit* "would".
„ 47, „ 815, „ 2. *For* "their" *read* "this".
„ 47, „ 831, „ 3. *For* "taken his" *read* "passed the", and *in line 4 after* "Entrance" *insert* "examination".
„ 51, „ 886, „ 13. *Insert* "" *after* "competition".
„ 51, „ 887, „ 3. *For* "o ne" *read* "one".
„ 53, „ 916, „ 2. *After* "any" *insert* "of".
„ 54, „ 934, „ 3. *After* "was" *insert* "a".
„ 55, „ 955, „ 1. *After* "definition" *insert* "of the term".
„ 55, „ 966, „ 3. *Omit* "not".
„ 56, „ 977, „ 9. *Omit* "Sub".
„ 57, „ 1017, „ 2. *For* "could" *read* "would."
„ 59, „ 1048, „ 11. *After* "appointed" *insert* "in".
„ 60, „ 1078, „ 1. *For* "kuow" *read* "know", *for* "whom" *read* "w *for* "yon" *read* "you".
„ 61, „ 1084, „ 1. *For* "Do" *read* "Did".
„ 61, „ 1085, „ 1. *For* "Was" *read* "Is".
„ 61, „ 1086, „ 1. *For* "Covenanted" *read* "Uncovenanted," and *in line 2 for* "Uncovenanted" *read* "Covenanted".
„ 61, „ 1097, „ 4. *For* "1" *read* "I".
„ 61, „ 1100, „ 3. *After* "have" *insert* "not".
„ 63, „ 1113, „ 4. *For comma substitute a full stop.*
„ 63, „ 1114, „ 5. *Omit* the second "s" in "administrations".
„ 64, „ 1129, „ 5. *Omit* "on", and in *line 6 after* "recollect" *insert* "rightly".
„ 65, „ 1151, „ 8. *Omit* (?) *after* "Judge".
„ 68, „ 1203, „ 15. *For* "incompetent" *read* "competent."
„ 69, „ 1223, „ 5. *Omit* "in them".
„ 72, „ 1300, „ 3. *After* "generally" *insert* "would".
„ 73, „ 1310, „ 3. *Omit* "s" in "commands".
„ 73, „ 1315, „ 7. *For* "u" in "efficieucy" *substitute* "n".
„ 74, „ 1328, „ 3. *For* "quite be" *read* "be quite".
„ 74, „ 1330, „ 3. *For* "they are" *read* "it is".
„ 75, „ 1344, „ 4. *After* "right" *insert a comma.*
„ 75, „ 1353, „ 13. *After* "in" *insert* "a good".
„ 77, „ 1372, „ 11. *For* "Gevernment" *read* "Government".
„ 77, „ 1376, „ 5. *For* "it has" *read* "they have."
„ 79, „ 1394, „ 2. *For* "had" *read* "have."

Page	79,	*Question*	1399,	*line*	3. *For* "which" *read* "who".
„	79,	„	1401,	„	1. *After* "Statue" *insert* "were".
„	80,	„	1418,	„	1. *For* "Indis" *read* India".
„	81,	„	1427,	„	2. *Omit* "not".
„	81,	„	1430,	„	11. *For* "attactions" *read* "attractions".
„	82,	„	1447,	„	4. *For* "creat" *read* "create".
„	83,	„	1476,	„	9. *For* "1" *read* "I".
„	88,	„	1600,	„	4. *Omit* "average".
„	91,	„	1650,	„	4. *For* "wanting" *read* "waning".
„	92,	„	1690,	„	6. *For* "prepare" *read* "prepared".
„	96,	„	1767,	„	5. *For* "Subordinate" *read* "District".
„	105,	„	1991,	„	4. *After* "Yes" *insert* "if".
„	106,	„	2009,	„	3. *For* "undomiciled" *read* "non-domiciled".
„	108,	„	2059,	„	6. *For* "ont his" *read* "on this".
„	110,	„	2105,	„	11. *For* "these" *read* "three".
„	112,	„	2168,	„	1. *For* "of" *read* "with," and *in line 2,* for "prejudice" *read* "prejudices".
„	122,	„	2338,	„	*Last line but one in the first column omit the commas after the words* "be" *and* "too".
„	143,	„	2655,	„	8. *For* "foregin" *read* "foreign".
„	143,	„	2661,	„	3. *For* "Byboth" *read* "By both".
„	144,	„	2672,	„	2. *For* "an independent" *read* "this important".
„	145,	„	2706,	„	3. *Omit* "for".
„	149,	„	2791,	„	2. *For* "Munsiffs" *read* "Munsiffis".
„	158,	„	3027,	„	4. *For* "sub-divisions" *read* "sub-division".
„	160,	„	3040,	„	3. *For* "districts" *read* "district".
„	162,	„	3070,	„	7. *For* "co petition" *read* "competition".
„	165,	„	3137,	„	2. *Add* "s" *after* "Munsiff".
„	172,	„	3230,	„	6. *For* "liveon" *read* "live on".
„	179,	„	3390,	„	1. *For* "I" *read* "In".
„	181,	„	3412,	„	10. *After* "for" *insert* "the".
„	182,	„	3434,	„	9. *For* "assistance" *read* "Assistants".
„	183,	„	3457,	„	3. *For* "fourty" *read* "forty".
„	185,	„	3494,	„	6. *For* "was" *read* "is".
„	187,	*Heading,*			*For* "E. P." *read* "E. T".
„	187,	*Question*	3534,	„	2. *For* "put" *read* "appointed".
„	195,	„	3697,	„	1. *For* "a Covenanted" *read* "an Uncovenanted".
„	196,	„	3725,	„	2. *For* "Service ? re" *read* "peans are," and *insert* "Service ?" *after* "Uncovenanted".
„	197,	„	3748,	„	4. *For* "Myself, i" *read* "myself," and *insert* "i" before "n" in the next line".
„	201,	„	3863,	„	8. *Insert* "a" *after* "for".
„	202,	„	3869,	„	8. *For* "poorest" *read* "present".
„	206,	„	3969,	„	1. *Insert* (?) *after* "them", and *in line 2 for* "with" *read* "With".
„	216,	„	4177,	„	7. *For* "pretty" *read* "petty".

PROCEEDINGS

OF

THE PUBLIC SERVICE COMMISSION.

VOLUME II.—PROCEEDINGS RELATING TO THE NORTH-WESTERN PROVINCES AND OUDH.

SECTION I, SUB-SECTION A.—NOTICE AND CORRESPONDENCE INVITING EVIDENCE.

I.

THE following notice was published in the *North-Western Provinces Gazette* and in the leading English and Vernacular newspapers :—

NOTICE.

As the sittings of the Public Service Commission will shortly commence, persons resident in the North-Western Provinces and Oudh who may be desirous of tendering evidence on the subject of the Commission's enquiries, are invited to intimate their names to the Hon'ble J. W. QUINTON, Allahabad, on or before the 30th December 1886, together with a brief note of the points on which they would wish to give evidence.

Vol. II.
Section I.
Sub-Sec. A.

N.-W. P. and Oudh.

F. C. DAUKES,
Secretary to the Public Service Commission.

20th December 1886.

II.

No. 4, dated Lahore, the 16th November 1886.

From—The Secretary to the Public Service Commission,
To—The Chief Secretary to the Government of the N.-W. Provinces and Oudh.

I AM directed to request that, with the permission of His Honour the Lieutenant-Governor and Chief Commissioner, the Public Service Commission may be favoured with a list of the names of selected officers serving in the North-Western Provinces and Oudh and belonging to (*a*) the Covenanted Civil Service, (*b*) the Statutory Service, and (*c*) the Uncovenanted Service, whose opinions the Government of the North-Western Provinces and Oudh may consider it desirable for the Commission to invite on the subject-matter of the enquiries with which it has been entrusted, as set forth in the Resolution of the Government of India in the Home Department, No. 34—1573-80, dated 4th October 1886. I am also to request that the Commission may be favoured with a list of (1) any local Associations or Societies, (2) the Editors of the leading newspapers, both English and Vernacular, published in the North-Western Provinces and Oudh, who should, in the opinion of His Honour the

Lieutenant-Governor and Chief Commissoner, be consulted by the Commission. The Commission would further be glad if the Government of the North-Western Provinces and Oudh would be good enough to suggest the names of any members of the general public, not being in Government service, who might with advantage be consulted on the subject-matter of the enquiries in question.

2. It is hoped that His Honour the Lieutenant-Governor and Chief Commissioner will be good enough to let it be generally known throughout the North-Western Provinces and Oudh, that the Public Service Commission will be glad to receive the opinions of any Association or Society or of any gentlemen, whether or not in the service of Government, who may wish to lay their views before the Commission.

Reply No. 5411—II-592-32, dated Allahabad, the 8th December 1886.

From—The Chief Secretary to the Government of the N.-W. Provinces and Oudh,

To—The Secretary to the Public Service Commission.

In reply to your letter No. 4, dated 16th November, I am directed by His Honour the Lieutenant-Governor and Chief Commissioner to forward for the use of the Commission three lists,* as suggested in your letter, of persons and societies in the N.-W. Provinces and Oudh, whose opinions His Honour considers it is desirable for the Commission to invite on the subject-matter of the enquiry.

*(1) List of selected officers.
(2) „ „ local Associations.
(3) „ „ Editors and members of the general public.

LIST OF SELECTED OFFICERS.

Covenanted Civilians.

Mr. McConaghey, Commissioner of Lucknow.
„ Tupp, Accountant General.
„ Cadell, Magistrate of Aligarh.
„ Benett, Secretary to Government.
„ White, Director of Public Instruction.
„ Stoker, Settlement Officer of Bulandshahr.
„ Rustomjee, Joint-Magistrate of Gorakhpur.
„ Thornton, Under-Secretary to Government.

Statutory Civilians.

Mr. Ishak Khan, Joint Magistrate, Farukhabad.
„ Jwala Prasad, Assistant Magistrate, Gorakhpur.

Uncovenanted Service.

Judicial.

Mr. Saiyid Mahmud, Judge, Rae Bareli.
„ Muhammad Samiulla Khan, Sub-Judge, Farukhabad.
Munshi Farid-ud-din, Sub-Judge, Agra.
Babu Promoda Charn Banarji, Judge, Small Cause Court, Allahabad.

Executive.

Raja Lachman Singh, Deputy Collector, Bulandshahr.
Babu Harnam Chandar Seth, Deputy Collector, Budaun.
Saiyid Ali Hasan, Deputy Collector, Bareilly.
„ Zahid Husain, Do. Do. Jaunpur.

Educational.

Pandit Lakshmi Shankar Misr, M.A., Professor of Mathematics, Benares College.

Medical.

Dr. Makund Lal, Assistant Surgeon, Agra.

Mr. Hoskins, Registrar, Judicial Commissioner's Court, Lucknow.
„ J. Clarke, Deputy Registrar, High Court.

LIST OF ASSOCIATIONS AND SOCIETIES.

Meerut Association.
Bharat Varsha National Association, Aligarh.
Aligarh Institute.
Mufid-i-ám, Agra.
Anjaman, Agra.
Mudh Hindu Samaj, Allahabad.
Benares Institute.
Kasi Sarvajanik Sabha, Benares.
British Indian Association, Lucknow.
Rafá-í-ám, Lucknow.
Anjaman-í-Tahzib, Lucknow.

EDITORS OF NEWSPAPERS.

Oudh Akhbar, Lucknow.
Indian Union, Allahabad.
Prag Samachar, Allahabad.
Hindustani, Lucknow.
Azad, Lucknow.
Sham-í-Awadh, Fyzabad.
Hindustan, Kalakankar.

LIST OF GENERAL PUBLIC.

Mr. Howard, Barrister-at-Law, Allahabad.
„ Beck, Principal, Aligarh College.
Revd. Mr. Scott, Missionary, Bareilly.
Raja Ram Pal Singh, of Kalakankar, Oudh.
„ Shiva Prasad, C.S.I., Benares.
Kunwar Sheonath Singh, Barrister-at-Law, Allahabad.
Munshi Ajudhia Nath, Pleader, Allahabad.
Shaikh Habib-ulla, Barrister-at-Law, Allahabad.
Munshi Newal Kishore, Lucknow.
„ Sheo Narayan, Secretary of the Municipal Committee, Agra.
„ Mahfuz Ali, Lucknow.
Shaikh Inayat-ulla, Taluqdar of Saidanpur, Lucknow.
Babu Promodha Das Mitter, Benares.
Mr. Campbell Hamilton, Indigo Planter, Bilsi, Budaun.

III.

No. 19, dated Lahore, the 30th November 1886.

From—The Secretary to the Public Service Commission,
To—The Chief Secretary to the Government of the N.-W. Provinces and Oudh.

In continuation of my letter No. 4, dated 16th November 1886, I am directed by the Public Service Commission to forward herewith five separate sets of questions bearing on their enquiries which the Commission desire to address (1) to the several Local Governments and Administrations, (2) to selected officers of the Covenanted Civil Service, (3) to selected Statutory Civilians, (4) to selected officers of the Uncovenanted Service, and (5) to such Associations and Societies, Editors of newspapers, Vernacular and English, and members of the general public, not being in the service of Government, as it may be considered desirable to consult on the subject-matter of the enquiries of the Commission.

2. With reference to the questions (marked A) addressed to the North-Western Provinces and Oudh Government, twenty-five copies of which are forwarded, I am to say that the Commission would be glad if His Honour the Lieutenant-Governor and Chief Commissioner, after consulting such officers as he may see fit with regard to any of them, would be good enough to cause replies to be furnished to me with as little delay as possible. It is not necessary that the replies should be detained until all the questions have been answered, and it might be convenient if answers were sent from time to time as prepared,

provided that the serial number attached to each question is correctly entered opposite the reply thereto. As some of the questions deal with statistical matters, it might further be convenient if the replies to these were thrown into a tabular form; but if this course is adopted, I am to request that care may be taken that the question or questions which each tabular statement embraces are accurately noted. Other questions, again, may possibly be better answered orally than in writing, and if this should appear to the North-Western Provinces and Oudh Government to be the case, the Commission would be glad if His Honour the Lieutenant-Governor and Chief Commissioner would indicate in what way the answers to such questions could most conveniently be given, either by the deputation of some special officer to represent the views of the Local Government or in any other manner which may be deemed preferable.

3. As regards the other sets of questions, I am to explain that those marked B, C, and D respectively are intended to be addressed to such officers, being members of the Covenanted Civil Service, the Statutory Service, or the Uncovenanted Service as might in the opinion of the North-Western Provinces and Oudh Government be consulted with advantage by the Commission on the subject-matter of their enquiries. Fifteen copies of set B (for selected officers of the Covenanted Service) are forwarded herewith, with five copies of set C (for selected Statutory Civilians) and twenty copies of set D (for selected officers of the Uncovenanted Service); and I am to request that, with the permission of His Honour the Lieutenant-Governor and Chief Commissioner, a copy of each set of these questions with one of the letters attached thereto in original may be supplied to those officers serving in the North-Western Provinces and Oudh whom the North-Western Provinces and Oudh Government may consider it desirable to consult. It will be noticed that alternative covering letters are attached to each of these sets of questions, the object being to distinguish between the cases of officers whom, owing either to their position in the service of Government or to the nature of the evidence which they may be expected to give, it is considered desirable to *summon* as witnesses before the Commission, and of those whom it is not deemed necessary to summon as witnesses, but who might be invited voluntarily to offer evidence. It is left to the North-Western Provinces and Oudh Government to determine the officers in the North-Western Provinces and Oudh who should be classed under each of these categories, and to distribute accordingly all the sets of questions or as many sets as may be considered necessary accompanied by the appropriate covering letter in each case. In order to meet the case of officers of Government or others who, although not specially consulted, may nevertheless be desirous of offering evidence before the Commission, it is proposed to issue a Notification inviting such persons to intimate their names and addresses to the Secretary to the Commission with a brief note of the particular points on which they wish to give evidence. When the plan of the Commission's operations has been further settled, copies of the Notification will be communicated to the North-Western Provinces and Oudh Government for insertion in the local gazette and in some of the leading local newspapers, English and Vernacular.

4. The remaining set of questions marked E, of which forty-five copies are forwarded, is intended for issue with the attached letters to selected local Associations and Societies, Editors of newspapers (English and Vernacular), and members of the general public. It will be observed that two covering letters are attached to this set of questions, one of which is intended for issue to the Editors of newspapers or members of the general public, and the other to Associations or Societies. The Commission would feel obliged if the North-Western Provinces and Oudh Government would be good enough to cause these sets of questions to be issued, with the appropriate covering letter in each case, to such bodies or individuals of the classes named in the North-Western Provinces and Oudh as may, in the opinion of His Honour the Lieutenant-Governor and Chief Commissioner, be expected to give useful advice on the subject-matter of the present enquiries.

5. It is hoped that the questions will be issued under the supervision of some responsible officer and with as little delay as practicable, and I am particularly to request that the Commission may be furnished with a complete and accurate list of all Associations, Societies, or persons, whether official or non-official, to whom sets of the questions may be communicated, the names of the Government officers who may be summoned to attend as witnesses or who may be invited to give evidence being separately given with their addresses in each case. The replies should, in all cases, be sent direct by those consulted to the Secretary to the Public Service Commission, and if additional copies of any of the sets of questions are required for use in the North-Western Provinces and Oudh, they will be at once supplied on application.

No. 32, dated the 14th December 1886.

From—The Secretary to the Public Service Commission,

To—The Chief Secretary to the Government of the N.-W. Provinces and Oudh.

In acknowledging the receipt of your letter No. 5411—II. 592-32, dated 8th December 1886, I am desired to say that it is presumed that the several sets of questions, forwarded

with my letter No. 19, dated 30th November, will be or have been distributed in accordance with the lists furnished by you. If this assumption is correct, the list asked for in paragraph 5 of my letter above cited is no longer required by the Public Service Commission. In the event, however, of any alterations or additions having been made, I am to ask you to be good enough to give me intimation of the same at your earliest convenience.

Reply No. 5730—II-592-36, dated Allahabad, the 18th December 1886.

From—The Chief Secretary to the Government of the N.-W. Provinces and Oudh,

To—The Secretary to the Public Service Commission.

IN reply to your letter No. 32, dated the 14th instant, I am directed to say that the several sets of questions received with your letter No. 19, dated the 30th November last, have been distributed in accordance with the lists forwarded with my letter No. 5411—II-592-32, dated the 8th December 1886, and to add that the gentlemen noted on the margin have subsequently been invited.

To list I.—Sub-head, "Covenanted Officers."

(1) Mr. A. H. Harrington, C.S., Commissioner, Rae Bareli Division.
(2) Mr. A. J. Lawrence, C.S., Commissioner, Allahabad Division.

List of Editors.

(3) Editor, Pioneer.

List of General Public.

Pandit Sri Kishan, Pleader, Lucknow.
Babu Sri Ram, M.A., B.L., Government Pleader, Lucknow.
Babu Kaku Mal, Pleader, Fyzabad.
Mirza Agha Ali Khan, *Rais*, Lucknow.
Nawab Mahdi Ali Khan, Wasikadar, Lucknow.

2. I am to request you to be good enough to substitute the name of M. Sheo Narayan as Secretary, Agra Municipality, for M. Sheo Prasad in the list of members of the General Public.

IV.

List of persons belonging to the North-Western Provinces and Oudh, who were summoned or invited, or who volunteered to appear before the Public Service Commission at Allahabad, during its sittings from the 29th December 1886 to the 8th January 1887.

Serial number.	Names of Witnesses.	Appointment (if in Government service) or profession of witness.	Whether summoned, invited, or voluntary.	Date of examination.	Remarks.
1	Mr. Benett, Covenanted Civil Service	Secretary to Government, North-Western Provinces and Oudh	Summoned	29th December 1886.	
2	„ Thornton „ „ „	Under-Secretary to Government	Ditto	Ditto.	
3	„ Joshua Clarke, Uncovenanted Service	Deputy Registrar, High Court	Invited	Ditto.	
4	Pandit Ajudhia Nath	Pleader, High Court, North-Western Provinces	Ditto	Ditto.	
5	Mr. Howard	Barrister-at-Law	Ditto	Ditto.	
6	„ Beck	Principal of the Oriental College, Aligarh	Ditto	30th December 1886.	
7	The Honble Mr. Justice Oldfield, Covenanted Civil Service	Puisne Judge of the North-Western Provinces, High Court	Ditto	Ditto.	
8	Babu Promoda Charn Banarji, Uncovenanted Service	Judge of the Small Cause Court, Allahabad	Summoned	Ditto.	
9	Munshi Mahfuz Ali	Ditto ditto ditto Lucknow	Invited	Ditto.	
10	Saiyid Zahid Hossain, Uncovenanted Service	Deputy Collector, Jaunpur	Summoned	Ditto.	
11	Bagheshari Dyal, Uncovenanted Service	Munsif, Ghazipur	Voluntary	Ditto.	
12	*Pandit Lakshmi Shankra Misra, Educational Department*	*Professor of Mathematics, Benares College*	*Invited*		*Unwilling to give oral evidence.*
13	*Dr. Mukund Lal, Medical Department*	*Assistant Surgeon, Agra*	*Ditto*		*Not present.*
14	Mr. Rustomjee, Covenanted Civil Service	Joint Magistrate, Gorakhpur	Summoned	31st December 1886.	
15	Maulvi Farid-ud-din, Uncovenanted Service	Subordinate Judge, Agra	Invited	Ditto.	
16	The Hon'ble Mr. Justice Straight	Puisne Judge, Allahabad High Court	Voluntary	Ditto.	
17	Munshi Nawal Kishore	Journalist, Lucknow	Invited	Ditto.	
18	Gunga Saran, B.A., Uncovenanted Service	Munsif of Saharanpur	Voluntary	Ditto.	
19	*Raja Shiva Pershad, C.S.I. of Benares*		*Invited*		*Unwilling to give oral evidence.*

20	*Munshi Sheo Narayan*	*Secretary, Municipal Committee, Agra*	*Invited*		*Prevented from appearing by illness.*
21	Mr. Stoker, Covenanted Civil Service	Settlement Officer, Bulandshahr	Summoned	3rd January 1887.	
22	„ H. P. Mulock „ „ „	District Judge, Saharanpur	Ditto	Ditto.	
23	Mr. Ishak Khan, Statutory Civilian	Joint Magistrate, Farukhabad	Ditto	Ditto.	
24	Babu Promoda Dass Mitra	Honorary Magistrate, Benares	Invited	Ditto.	
25	Mr. F. W. Porter, Covenanted Civil Service	Magistrate and Collector, Allahabad	Ditto	Ditto.	
26	*Shaikh Inayat-ulla*	*Taluqdar, Saidanpur, Lucknow*	*Ditto*		*Did not appear.*
27	*Mr. Hoskins, Uncovenanted Service*	*Registrar, Judicial Commissioner, Lucknow*	*Ditto*		*Ditto.*
28	„ Tupp, Covenanted Civil Service	Accountant-General, Allahabad	Summoned	4th January 1887.	
29	Maulvi Samiullah Khan, Uncovenanted Service	Sub-Judge, Farukhabad	Invited	Ditto.	
30	Rana Shankar Baksh	Vice-President, Taluqdars' Association, Lucknow	Ditto	Ditto.	
31	Lala Baijnath	Chief Justice at Indore	Voluntary	Ditto.	
32	Babu Kakku Mal	Pleader, Oudh	Invited	Ditto.	
33	*Nawab Mahndi Ali Khan*	*Wasikadar, Lucknow*	*Ditto*		*Unable to attend.*
34	*Mr. C. Hamilton*		*Ditto*		*Ditto.*
35	*The Revd. Mr. Scott*		*Ditto*		*Ditto.*
36	Mr. Syad Mahmud, Uncovenanted Service	District Judge, Rae Bareli, Oudh	Summoned	5th January 1887.	
37	The Raja of Barah (Allahabad District)		Invited	Ditto.	
38	Mr. E. White, Covenanted Civil Service	Director of Public Instruction, N.-W. Provinces and Oudh	Summoned	Ditto.	
39	Munshi Imtyaz Ali	Delegate of the British Indian Association, Lucknow	Invited	Ditto.	
40	Pandit Srikishan	Pleader; Vice-President, Lucknow Municipality; Honorary Magistrate	Ditto	Ditto.	
41	Babu Sri Ram, M.A., B.L.	Pleader, Lucknow	Ditto	Ditto.	
42	*Babu Harnam Chandar Seth, Uncovenanted Service*	*Deputy Collector, Budaun*	*Ditto*		*Unable to attend.*
43	Raja Lachman Singh, Uncovenanted Service	Deputy Collector, Bulandshahr	Summoned	6th January 1887.	
44	Mr. Niblett	Pleader, High Court	Invited	Ditto.	
45	„ Jwala Pershad, Statutory Civilian	Assistant Magistrate, Gorakhpur	Summoned	Ditto.	
46	Babu Setala Kant Chatterji	Delegate of the Meerut Association	Invited	Ditto.	
47	Mr. Burbridge	Pleader, High Court	Ditto	Ditto.	
48	Khwaja Mahomed Yusuf	Delegate of the Scientific Society, Aligarh	Ditto	Ditto.	
49	Mr. Woodburn, Covenanted Civil Service	Chief Secretary to the N.-W. Provinces and Oudh Government	Summoned	Ditto.	

List of persons belonging to the North-Western Provinces and Oudh, who were summoned or invited, or who volunteered to appear before the Public Service Commission at Allahabad, during its sittings from the 29th December 1886 to the 8th January 1887.—continued.

Serial number.	Names of Witnesses.	Appointment (if in Government service) or profession of witness.	Whether summoned, invited, or voluntary.	Date of examination.	Remarks.
50	Sanwal Singh, Uncovenanted Service	Munsif of Jounpore	Voluntary	6th January 1887.	
51	Mr. McConaghey, Covenanted Civil Service	Commissioner of the Lucknow Division	Summoned	7th January 1887.	
52	„ Harrington, Covenanted Civil Service	Commissioner of the Rae Bareli Division, Oudh	Ditto	Ditto.	
53	„ A. J. Lawrence, Covenanted Civil Service	Commissioner of the Allahabad Division	Ditto	Ditto.	
54	„ E. T. Lloyd, Covenanted Civil Service	City Magistrate, Lucknow	Voluntary	Ditto.	
55	„ F. T. Atkins	Manager, Railway Service Gazette	Invited	Ditto.	
56	„ Simeon	Pleader, N.-W. Provinces, High Court	Voluntary	Ditto.	
57	Mahabeer Pershad Singh	Zemindar, Allahabad District	Ditto	Ditto.	
58	Durga Charan Banerjee	Pleader, N.-W. Provinces, High Court.	Ditto	Ditto.	
59	Mr. A. Cadell, Covenanted Civil Service	Magistrate and Collector, Aligarh	Summoned	8th January 1887.	
60	Raja Rampal Singh	Taluqdar, Oudh	Invited	Ditto.	
61	Raja of Kantit, Mirzapur		Voluntary	Ditto.	
62	Rai Madho Pershad	Taluqdar, Pertabgarh District, Oudh	Ditto	Ditto.	
63	Akbur Hussain	Zemindar, Allahabad	Ditto	Ditto.	
64	Lakshmi Narayana Vyasa	Delegate of the Hindu Samaj, Allahabad	Invited	Ditto.	
65	Mr. Saunders	Pleader, N.-W. Provinces, High Court	Voluntary	Ditto.	

PROCEEDINGS

OF

THE PUBLIC SERVICE COMMISSION.

VOLUME II.—PROCEEDINGS RELATING TO THE NORTH-WESTERN PROVINCES AND OUDH.

SECTION I.—SUB-SECTION B.—INFORMATION SUPPLIED BY THE GOVERNMENT OF THE NORTH-WESTERN PROVINCES AND OUDH.

I.

REPLIES OF THE GOVERNMENT OF THE NORTH-WESTERN PROVINCES AND OUDH TO THE QUESTIONS PUT BY THE PUBLIC SERVICE COMMISSION.

I.—Working of the existing Statutory System.

1. What systems of selection or nomination for the purposes of the Statutory Rules have been adopted in your Province?—The system of nomination is adopted in these Provinces. The Local Government having regard to the objects for which the Statutory Service was constituted, as explained in the Government of India's Resolution No. $\frac{59}{2374\text{-}29}$, dated 24th December 1879, selects after full inquiry, and submits to the Government of India, three names for every vacancy. No preliminary examination is held: no minimum standard of education is prescribed. The Local Government holds itself free to select, without the restriction of hard-and-fast rules, such persons as appear to it to possess in the highest degree the qualifications necessary for the discharge of the duties of Statutory Civilians.

2. What subsidiary rules, if any, have been framed in your Province for the purpose of giving effect to the general Statutory Rules?—None.

3. How many Statutory Civilians have been appointed in your Province under the Statutory Rules on the ground of merit and ability proved in the service of Government?—No Statutory Civilians have been appointed solely on this ground, though in more than one case efficient service in a subordinate Government appointment, accepted as a means of acquiring experience and displaying ability, has in combination with other qualifications led to nomination.

Questions 4 to 34.—Not answered.

35. How many Statutory Civilians have been appointed in your Province on the ground of high birth, of social position or general influence?—As stated in reply to Question 1, the Local Government in its nominations has necessarily been guided by the authoritative instructions of the Government of India. These instructions directed that "as a rule" the nominees should be "young men of good family and social position, possessed of fair abilities and education, to whom the offices open to them in the inferior ranks or Uncovenanted Service have not proved a sufficient inducement to come forward for employment" (Resolution of 24th December 1879). No nomination, therefore, has ever been made solely on the ground of high birth, social position, or general influence. Educational, moral, and physical qualifications have been taken into account and assigned their due weight. Subject to this, some consideration has been and is paid to the social position of the possible candidates.

The total number of Statutory Civilians appointed in this manner in these Provinces is eight, of whom one has resigned.

36 & 37.—If Statutory Civilians have been appointed in your Province on the ground of high birth, social position, or general

influence, were any preliminary qualifications required? If so, what were they?—It may be said that in all cases a competent knowledge of English has been held essential. Otherwise, no minimum standard of attainments has been definitely prescribed, and for the reasons stated in this Government's letter No. 17, dated 2nd October 1885, to the Government of India (Home Department), the prescription of a fixed and definite educational standard has been held to be open to objections.

38. What appointments did persons selected on any of these grounds receive under the Statutory Rules?—They were appointed Assistant Magistrates and Collectors of the lowest grade.

39. What rate of pay did they receive on appointment under the Statutory Rules?—Rs. 200 a month until they passed the departmental examination, when it was increased to Rs. 250.

40 to 43.—Have persons been appointed in your Province to Covenanted posts on any other grounds than those above mentioned? If so, on what grounds? *and* what appointments did the persons concerned receive? What rate of pay did they receive on appointment?—No. The only possible case is that of Mr. Syad Mahmud, who was appointed in 1879 to a District Judgeship in Oudh. But as on the re-organization of the Judicial Service, two District Judgeships were by the orders of the Government of India reserved for Natives of India, Mr. Mahmud cannot be considered to have been appointed to a Covenanted post. Mr. Mahmud draws the full pay of the appointment. He was appointed on the ground of his merit and ability.

44. How many Muhammadans and how many Hindus have been appointed to the Statutory Service in your Province?—Three Muhammadans and five Hindus.

45. Have any Eurasians been appointed to the Statutory Service in your Province?—No.

46. If not, are there any particular reasons why they have not been appointed?—No particular reasons; though it may be said that the general terms of the instructions issued by the Government of India pointed rather in the direction of other classes of the community.

47. Whatever system of selection or nomination may have been adopted, has it been usual to require a probationary period before the appointment was finally confirmed?—Yes.

48. If so, what have been the incidents of such period as to duration and pay?—The period of probation has been two years, during which time half-yearly confidential reports are received by the Local Government from the Collector of the district in which the probationer is serving. Until confirmation the probationer is not eligible to officiating or substantive promotion, and his salary is restricted to Rs. 200, or, if he has passed the departmental examination, to Rs. 250 a month.

49 & 50. Has the requirement of a probationary period been waived in the case of any appointments hitherto made under the Statutory Rules? If so, in the case of what appointments and on what grounds?—Yes; in the case of one nominee who had done several years' approved work as Honorary Magistrate and Honorary Munsif.

51. To what positions have the persons selected on the various grounds above noted respectively attained in the public service?—As no Statutory Civilian has as yet completed seven years' service, the highest office as yet reached has been only that of Officiating Joint-Magistrate.

52. Have any practical difficulties been experienced in regard to the promotion of Statutory Civilians after their appointment?—Not as yet; none of the Statutory officers have been long enough in the service to raise the question of appointing them to independent and responsible charges.

53. How far have Statutory Civilians succeeded in passing the departmental examinations in cases where such examinations were required?—Excluding the two probationers appointed this year, the five Statutory Civilians on the list have passed their examinations within two years from date of appointment. The one probationer who resigned had not, on resignation at the end of his third year, completely passed by the higher standard.

54. After what periods from the dates of original appointment were the examinations by the lower and higher standard, respectively, passed in each case?

	L. S., Revenue.	H. S., Revenue.	L. S., Judicial.	H. S., Judicial.	Police.	Vernacular.	Treasury and Accounts.	Remarks.
(1) Appointed February 1880	10 months. Dec. 1880.	10 months. Dec. 1880.	10 months. Dec. 1880.	10 months. Dec. 1880.	10 months. Dec. 1880.	10 months. Dec. 1880.	... ...	There was no examination in Treasury and Accounts when these officers passed.
(2) Appointed February 1880	16 months. June 1881.	16 months. June 1881.	16 months. June 1881.	16 months. June 1881.	16 months. June 1881.	16 months. June 1880.	... ...	
(3) Appointed January 1884	1 month. Feb. 1884.	16 months. May 1885.	1 month. Feb. 1884.	1 month. Feb. 1884.	1 month. Feb. 1884.	16 months. May 1885.	... June 1886.	
(4) Appointed March 1886	3 months. June 1886.	3 months. June 1886.	3 months. June 1886.	... ...	3 months. June 1886.	... ...	... ...	Examination papers under consideration: result not known yet.
(5) Appointed December 1884	Passed his examinations before appointment to Statutory Service.							
(6) Appointed 1881	Exempted from examination.							
(7) Appointed July 1886	Results of last examination not known.							

55. In how many cases has there been failure to pass by either test within the two years' probationary period?—See answer to Question 53.

56. After what periods from the dates of original appointment have Statutory Civilians in your Province been confirmed in their appointments?—The three Statutory Civilians on the list, who having been originally appointed as probationers have completed two years' service, were confirmed at the end of that term. The probationer who eventually resigned remained three years under probation.

Questions 57 & 58.—Not answered.

59. What is the prevalent feeling in your Province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general or is it confined to certain sections of the community?—The Local Government prefers not to anticipate, upon this and the five following questions, the ample evidence that will be available to the Commission when it holds its sittings in these Provinces. Such indications of the popular feeling on the matter as have officially been brought to the notice of this Government will be found in the collection of papers submitted to the Government of India in the Home Department with this Government letter No. 11, dated the 16th July 1884, with reference to the proposed revision of the Statutory system.

60 to 64. What are the grounds upon which any such feeling is based? Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic., Chapter 3, Section 6), or is it directed against the rules framed thereunder? If the Statute itself is objected to, is it because its provisions admit persons to specific appointments only and not to membership in an organized "Service"? Are the objections based on other and, if so, what grounds? If a desire is felt for enrolment in a general service, what are the reasons for this desire?—See above.

65. What amendments do you advocate in Section 6 of the Statute?—None, except that the wording is in some respects ambiguous. This was pointed out in the despatch of the Government of India to the Secretary of State, 23rd January 1874: see pages 22 and 23, Vol. I of collection of papers.

66 & 67. Do you consider that Section 6 of the Statute supplies such a definition of the words "Natives of India" as describes with sufficient clearness, fulness, and accuracy, the various classes of persons for whose appointment to Covenanted posts it is desirable to provide?—If not, can you suggest any more complete or more satisfactory definition?—Yes; see the reference in reply to Question 65. The drafting should be clearer.

68. If the objections are directed against the rules framed under the Statute, do they relate to the mode or modes of selection actually adopted?—See Question 59.

69. Do they relate to the general conditions, in regard to pay, promotion, and retiring annuity, under which Statutory Civilians hold their offices?—See Question 59.

70. Assuming the Statutory system to be retained, what amendments would you suggest in the Rules with a view to remove any reasonable objections which may be felt to them?—The views of this Government as to the Statutory rules, or more accurately as to the principles on which Local Administrations should be permitted to give effect to the intention of the Statute, are explained at length in letter No. 17, dated 2nd October 1885, to the Government of India in the Home Department. The Lieutenant-Governor has also recorded a minute on the subject, which was communicated to the Government of India with letter No. 11, dated 16th July 1884, and reference may also be made to the letter from this Government, 10th July 1885. It is understood that in this question the rules published in Notification No. 1534, dated 22nd August 1879 (Home Department), are referred to. This Government, while not entertaining any strong objection to these rules, which are sufficiently broad and general in their terms for all practical purposes, has expressed its willingness to accept, subject to one or two alterations in minor points, the draft rules proposed by the Government of India in its letter No. $\frac{25}{1077}$, dated 18th June 1885. At the same time the issue of subsidiary provincial rules is held to be superfluous, and possibly embarrassing, on the ground that "the object of the Statute is to open to men selected in India for proved merit and ability a few of the offices now reserved to a Covenanted Civil Service selected by competitive examination," and that "the power to appoint such men should be exercised, in India as elsewhere, by the Government as unreservedly as possible."

71. How do Statutory Civilians compare, in regard to their work as public servants, with Native Civilians who have passed in by the channel of the English competition?—As there is only one Native Civilian in these Provinces who has passed in by the channel of the English competition, the materials for drawing a comparison are not sufficient.

72. How do Statutory Civilians nominated or selected by competition compare, in regard to their work, with Statutory Civilians selected on the ground of merit and ability previously proved in the Uncovenanted Service, if any such selections have been made?—This comparison also cannot be instituted, as there are no Statutory Civilians in these Provinces who were selected on the ground of merit and ability previously proved in the Uncovenanted Service or other branches of the Government service.

73 to 87. Do Statutory Civilians regard themselves as occupying a position inferior to that of persons who enter the Covenanted Service through the competitive channel? Are they so regarded by the general public? *or* by their *confréres* in the Service who have entered through the competitive channel? If

such a feeling exists, on what grounds is it based? Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted Officers? If so, on what grounds? How is the present Statutory system regarded by members of the Uncovenanted Service? Do competitive Civilians, English and Native, and members of the Uncovenanted Service, respectively, stand on a footing of cordiality with Statutory Civilians, or is there any friction between them? Has the Statutory system had the effect of securing men, who, in point of education or natural ability, are superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service? Has the result of the Statutory system been to secure the services of men of better social position and better family than those who usually accept posts in the Uncovenanted Service? Do young men among the landed aristocracy or of good family display unwillingness to accept employment under the Statutory Rules? If so, what are the reasons for this unwillingness? Has experience shown that the Statutory Civilians of aristocratic family are as punctual and regular in the discharge of their duties as those selected from other classes? Do young men among the landed aristocracy or of good family display unwillingness to accept posts in the Uncovenanted Service, and willingness to accept employment under the Statutory Rules? If so, on what grounds?—It is suggested that the most satisfactory answers to these questions can be obtained from the witnesses whom the Commission propose to examine.

88 to 95. How many Natives in your Province have been appointed under the Statute 24 and 25 Vic., Chapter 54, Sections 3 and 4, to offices reserved for Covenanted Civilians? When and on what grounds were they appointed? Why was appointment under 24 and 25 Vic., Chapter 54, preferred to appointment under the Statutory Rules? To what offices and on what pay were those persons appointed, and to what offices and pay have they now attained? Is there any marked difference in ability, social position, efficiency or other respects between Natives who have been appointed under 24 and 25 Vic., Chapter 54, and Natives appointed under the Statutory Rules? Has the appointment of Natives under the Statutory Rules or under 24 and 25 Vic., Chapter 54, produced uncertainty or uneasiness in the minds of Covenanted Civil Servants as to their promotion and prospects? Seeing that the proportion of Natives has been fixed, and that the scale of recruitment for the Civil Service has been adjusted accordingly, is this feeling of uncertainty or uneasiness, if it exists, well-founded? Has it had an appreciably injurious effect either on recruitment or on the efficiency of Civil Servants?—No appointment under 24 and 25 Vic., cap. 54, has been made. The proposal of this Government to make such an appointment was *recently negatived by higher authority.*

II.—Mode of Selection of Statutory Civilians.

96, 97, 102, 103, & 104. On the assumption* that the Statutory system is retained, how would appointment to the Statutory service by nomination be regarded by influential sections of the Native community in your Province? How would a system of nomination to be followed by a period of probation be regarded by the same classes? How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded? In preference to either of the above systems (nomination and limited competition), would a system of open competition pure and simple for the Statutory Service commend itself to the Native community? If competition (whether limited or open) is preferred, should there be one competition for all India or separate competitions in each Province?—As well-qualified representatives of the views held by the Native community have been invited to give evidence before the Commission, the Lieutenant-Governor would prefer to be permitted to avail himself of the advantage of learning, through the proceedings of the Commission, the deliberate and definite opinion of so many competent witnesses, before recording an official opinion upon these questions.

Question 102.—(See Question 96.)

Questions 103 & 104.—The Lieutenant-Governor would prefer, for reasons already stated, not to anticipate the evidence on this point of the Native community. His own view, as given in the correspondence cited above, is that it would be a great mistake to introduce a system whereby all the public offices in the country should be accessible only to persons who must, at one time or another, have qualified by passing competitive examinations. The question whether the competitive examinations, now held in England, should hereafter be held partly in England and partly in India, is of course a different one, and it is not clear whether upon this point an opinion is now required.

98. Would a system of nomination, with or without probation, be likely to secure well-qualified persons?—There is no inherent defect in nomination as a system, understanding by the term an untrammelled power of selecting its agents vested in Government. This power might conceivably be exercised injudiciously, though in India a Local Government, the head of which is personally responsible for the administration, has the strongest possible interest in exercising it wisely. Or, again, its exercise might

* The questions which follow down to No. 118 inclusive are put subject to the same assumption.

be so restricted by rules or directions of a superior authority as to prevent the Local Government from choosing its men from the best qualified classes. It is believed that in all civilized countries a very large proportion of the more important public officers have been and still are appointed by nomination.

99. Has experience actually shown such a system to secure well-qualified officers?—Such of the probationers as have completed their two years' probation have been confirmed on the recommendation of this Government; and in making the recommendation to the Government of India, this Government satisfied itself that the probationer was likely to be a useful and trustworthy officer.

100. Do you consider that nominations should be confined to persons of proved merit and ability?—Yes, understanding "proved merit and ability" in the double sense of ability proved by educational tests in the case of youths, and both merit and ability publicly known and shown by men of mature age in professions, and, generally, ability evidenced in the case of older men in the affairs of practical life. The Lieutenant-Governor would here refer to paragraphs 5 to 7 of his minute of 1884.

101. If so, how do you consider that merit and ability should be held to have been proved for this purpose?—For the reasons given in this Government's letters No. 11, dated 16th July 1884; No. 15, dated 10th July 1885; and No. 17, dated 2nd October 1885, to the Government of India, letters which have been communicated to the Commission, this Government considers that the Local Governments would be the best judges of the merit and ability of their nominees, and that no absolute rules for ascertaining and defining how these qualifications should be proved are required. In the case of young and "untried" men, the obligation of satisfying the Government of India in each case as to the general education of the nominee and his knowledge of English appears sufficient. In the case of older men their conduct and success in the practical affairs of life can be readily established.

105. If there were only one general competition, how would you ensure a due proportion of appointments falling to the population of the several Provinces?—It would be difficult, but an allotment might be made.

106. Having regard to the varying educational standards reached in the several Provinces, and the varying conditions prevalent therein, is it possible to have any one system of selection for all India which would not result in the inhabitants of some Provinces being more or less excluded from a due share of appointments?—This does not seem possible at present.

107. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age, (2) intellectual capacity, (3) moral, social, and physical fitness?—See reply to question 70 and the official correspondence there cited.

108. If so, what should be the tests under each of the heads specified?—Blank.

109. Do you consider that (after selection whether by nomination or competition) there should be a period of probation?—Yes, in the case of young or untried men.

110. If so, what should be the duration of the probationary period?—The period of two years, at present prescribed, would as a general rule be reasonable; but the Government of India should have power to shorten or extend it for assigned reasons in particular cases on the recommendation of the Local Government.

111. Should the period of probation be passed in the ranks of the Uncovenanted Service, or of the Covenanted Service, or in what other manner?—According to this Government's view, service in the Uncovenanted ranks might precede nomination to the Statutory Service, and would, if sufficiently creditable, abridge the term of probation, or make probation unnecessary. The period of probation, whatever period in each case is considered necessary, should be passed, as at present, by the nominee as a conditional member of the Native Civil Service.

112 to 114. Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training? If so, should the special training be carried out in India or in England? If in India, would it be possible, and, if possible, advisable, to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England?—As regards "special training," the views of this Government are stated in its letter No. 11 of 16th July 1884. It would impose no "special training," in the sense of study at a College or University, either in India or in England. Some of the candidates for a Statutory nomination should pass through the ranks of the Uncovenanted Service, or to be placed in honorary judicial and executive posts with the object of acquiring special knowledge and business habits, and proving their capacity.

115 to 118. If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the Service? If so, what form should such encouragement take? Should it be offered before, or during, or after the probationary period, if any, through which nominees or selected candidates may be required to pass? Should it be offered before or after the nominees or selected candidates enter on their duties?—No objection to special training in England; but it is not considered essential.

119 & 120. Are you in favour of the establishment of scholarships tenable by Natives in England for the purpose of enabling them

to qualify for the Civil or Statutory Service? If so, how would you connect such a scheme with the selection of Natives for employment in the higher administrative posts in India?—It might be advantageous to establish a few scholarships of this description if created in pursuance of a general educational policy and on proof of a real demand among the Native community for English training.

121. Do you think that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England or have gone to England to add to their qualifications and those who have not?—The answer to this question depends on the view held as to the propriety of the rule which allots a reduced salary to all persons, domiciled in India, who are appointed in India to offices of which the salary has been fixed on a scale intended to enlist persons educated and specially trained in Europe, and appointed from England under special covenant, commission or contract. On financial grounds there are strong arguments in favour of the rule, restricted to the class of offices here defined. The rule should apply to all offices, whether ordinarily held by Covenanted Civilians or by other services, which come within the definition. On the other hand, offices which are ordinarily filled up in India, and of which the pay is on the Native scale, would be excluded. Thus the rule would rest on a classification of offices, not by distinction of race, but by the conditions and terms of their appointments. The Commission may perhaps refer to this Government's letter No. 2303, dated 11th June 1886, to the Secretary to the Finance Committee, for a full exposition of the views of the Local Government.

Nor would this Government be inclined to exempt a nominee from the rule merely because he had been trained in England. The case of Natives of India who succeed in passing the open competitive examinations now held in England, and who therefore have fulfilled the tests and conditions imposed on English candidates, stands on a different footing, and this Government would certainly not propose to reduce their emoluments.

122. If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent?—It is very difficult to say. The Commission will hear the views of competent witnesses.

123. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—See reply to Questions 103 and 104.

124. If so, to what appointments or classes of appointments would you restrict the latter system, and what conditions over and above those already existing would you impose?—None.

III.—Competition in England for the Indian Civil Service.

125, 126, & 127. What has been the experience in your Province, in regard to their work as public servants, of Natives who have entered the Covenanted Civil Service through the competitive channel in England? To what classes of society do such Natives belong? Is there reason to believe that the Natives obtained by this system are the best, as regards character and capacity, who could be procured under any system?—There is only one such officer in these Provinces. He is of a Parsi family of Western India.

128. Is competition of Natives in the examination in England favourably looked upon by large and important classes in India?—See reply to Question 96.

129 to 131. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition? If so, what form or forms should such facilities take? What conditions, if any, should be attached to them?—(See reply to Question 109.) The Lieutenant-Governor would prefer the alternative of enlarging the avenues of approach in India to higher offices.

132. What is your opinion as to giving Statutory appointments to Natives who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition?—It would not be expedient to recognize in such cases an absolute or even a preferential claim to a Statutory appointment. But, supposing a system of nomination to such appointments to prevail in a Province, any merit shown by unsuccessful candidates belonging to the Province in the English competition would probably be taken into account by the Local Government in comparing the intellectual qualifications of the several applicants for a Statutory appointment.

133. Assuming it to be advisable to appoint to the Statutory Service in India Natives who have failed in the English competition, should such persons receive the same training as successful candidates in England, and be subject to the same final examination?—Subject to what has been said in the reply to the last question, there is no particular objection to this suggestion. But as the nomination would ordinarily not be made until the Local Government in India had opportunities of judging his qualifications in other respects, it would be found difficult in practice to carry out.

134. Should they on appointment to the Statutory Service in India be subject to the same incidents as apply to other persons appointed under the Statutory Rules?—Yes.

135. Can you say what number of Natives belonging to your Province have presented

themselves annually at the competitive examination in England, and what degree of success they attained?—No.

136. What class or classes of Natives in your Province readily go to England?—It cannot be said of any specific class that the members of it readily go to England.

137. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—Reference may be made to this Government's letter No. 11, dated 16th July 1884, to the Government of India, and its enclosures, which show that a large and important class of Hindus are still deterred by religious scruples from adopting foreign habits and ways of life. The Commission will be able to satisfy themselves on this point.

138. Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—See reply to Question 103. One examination for all.

139. If the standards and conditions were different, how would it be possible to compare the results in the two examinations so as to bring out one list in order of merit?—It would be obviously impossible.

140. Would it under such circumstances be desirable to allot a fixed proportion of appointments to each of the two examinations?—This would be the only possible expedient, but it would be a very bad system.

141. If a fixed proportion of appointments were allotted for a Native examination in England, do you consider that in view of the objections against a voyage to England and life there, the cost thereof and the chances of failure, a sufficient number of suitable candidates from your Province would be available to make the competition a real competition?—No. The candidates from Provinces which have been longer under foreign influences, and where English education has attained wider expansion, would be much more numerous, and would, for some time to come, be more successful in the examinations.

142 & 143. If the examinations were distinct, what should be the limits of age for the Native examination? What should be the conditions, nature, and subjects of the separate Native examination?—The Lieutenant-Governor, at this stage of the enquiry, especially with regard to a topic on which it is desirable to accumulate direct evidence, is not prepared to make specific suggestions.

144. Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters, in any respect place Native candidates at a disadvantage as compared with English candidates?—This also is a point on which it is desirable to hear evidence, though the Lieutenant-Governor would refer the Commission to the Local Government's letter of the 6th June 1884, addressed to the Government of India, for his general views on the age question.

145 to 147. If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage? If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates; and, if so, what should the limits for Native candidates be? If higher limits of age were fixed for Native than for European candidates, might not the latter complain that they were placed at a disadvantage?—See reply to Question 142.

148. How do Natives, who have been successful in the English examination since the reduction of age was made, compare, in regard to their work as public servants, with Natives who entered by competition when the limit of age was higher?—See reply to Question 125.

149 & 150. What is the average age at which Natives at the Indian Universities pass the examinations for F.A., B.A., and M.A. respectively? From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your Province?—The Director of Public Instruction will have given the particulars required in his replies.

IV.—Competition in India for the Indian Civil Service.

151. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—Apart from the general objection against making competitive examination the only door by which Natives of India could pass up to the higher branches of the public service, the Lieutenant-Governor considers, that a single competitive examination, held in and unrestrictedly open to the whole of India, would at present be unnecessarily and unfairly disadvantageous to the inhabitants of these Provinces. He believes it politically and administratively expedient that the majority of the offices in question, so far as they are not held by Europeans, should be held by Natives of the Province. The only way by which this could be secured, under the system suggested in the question, would be to hold the examination simultaneously in each Province, or otherwise to reserve a certain number of places for competitors belonging to such Province irrespective of the places attained by them on the general list. The qualifying standard would thus vary for each Province, and the examination would lose its distinctive character. It would be preferable frankly to abandon the pretence of uniformity, and to allow each Local Government to settle the subjects and the conditions of its own provincial examination with reference to

the educational standard of the Province, and without rigid adherence to those of the English open competition.

152. How would this method of selection be regarded by the Native community generally?—See reply to Question 96.

153. If you advocate such a system, would you restrict the competition in India to Natives, and that in England to English candidates, or would you admit both classes freely to either examination?—The Lieutenant-Governor does not advocate such a system.

154. If Native candidates were admitted to the competition in England, while English candidates were excluded from the competition in India, on what grounds could this distinction be justified?—It would be difficult to justify the distinction.

155. Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system as introduced in 1855 to secure?—It has already been stated that the standard varies in different Provinces.

156 to 169. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others? Would it be likely to lead to the undue preponderance of any one class or caste in the public service? Do you think there are any objections on political or administrative grounds to open competition in India? Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service? Under such a system how would it be possible to provide against Natives of a Province in which education is comparatively backward being excluded from appointments in their own Province? Would a system of provincial examinations be preferable to one examination for the whole of India? Under a system of open competition in India would the successful candidates be regarded as occupying a position inferior to that of persons who enter the Service through the channel of the open competition in England? Supposing that the Covenanted appointments were allotted in fixed proportion, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed? If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates in regard to age? and in regard to minimum educational attainments? and in regard to moral, social and physical fitness? and in other respects (if any)? Should the subjects and conditions of the examination be the same as those prescribed for the competitive examination in England, or should they be different? If different, what should they be?—See Question 151.

170. Circumstances being different in the case of persons who enter through the examination in England and of persons who enter through the examination in India, is there any reason why the rules in regard to pay, leave, pension, &c., should not also be different?—No. (See reply to Question 121.)

171 to 175.—Should successful candidates go through a period of special study in India like the English candidates who spend two years in special preparation? or would it be preferable (*a*) to require them to go to England, or (*b*) to give them the option of going to England, suitable allowances being given to enable them to prosecute their studies there? Should successful candidates at the Indian competition be required to pass through a probationary period before final appointment? If so, what should be the duration of the probationary period? How should it be passed—in the ranks of the Uncovenanted Service, or otherwise?—The Lieutenant-Governor has already (Question 112) expressed his views as to the character of the special training or probationary service which it is desirable to impose upon persons admitted to the Native Civil Service, whether by competition or nomination. He would certainly not make residence in England obligatory, and the period of probation would often be in the ranks of the Uncovenanted Service or in honorary employment.

V.—Promotion from the Uncovenanted Service.

176. To what extent does the Uncovenanted Service in your Province include in its ranks persons eligible on the ground of proved merit and ability for appointment to offices ordinarily reserved for members of the Covenanted Civil Service?—The number of such persons is now small, but it is rapidly increasing.

177. If there are such persons in the Uncovenanted Service, could they be appointed to the lowest grade of the Covenanted Service without suffering in pay?—Not from the senior grades of the Uncovenanted Service, but it is not necessary to appoint them to the lowest Covenanted grades.

178. Under existing rules as to pay, &c., how would such appointment be regarded by Uncovenanted Officers?—The answer depends on the position and pay of the officer to be appointed.

179. Do you think they would be willing to forego pay for the sake of the advantages which admission to the Civil Service might afterwards bring?—The juniors would probably.

180, 181, 183, 184, 185, & 186. What special provision, if any, do you think should be made for the appointments to Covenanted posts of deserving members of the Uncovenanted Service? If such appointments are

made, should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service, and if so, what classes? Should provision be made for the appointment of qualified members of the Uncovenanted Service to the higher Covenanted offices without requiring them to pass through the lower grades? If certain appointments in the Covenanted grades were set apart for the Statutory Service, should a fixed proportion of those appointments be expressly reserved for persons of proved merit and ability in the Uncovenanted Service? Should special provision be made for the promotion to Covenanted posts of European members of the Uncovenanted Service? Should special provision be made for the promotion to such posts of Eurasian or other members of the Uncovenanted Service who, though not Natives of pure descent, fall within the meaning attached in the Statute of 1870 to the term "Natives of India"?—(See reply to Question 70, and the correspondence there cited.) The Lieutenant-Governor fully recognizes the expediency of exercising the discretionary powers of selection at present vested in Local Governments by the Statutory Rules in such a manner as not to overlook exceptional merit and ability displayed by members of the Uncovenanted Service. But he has already explained his reasons for considering that these powers should not be fettered by fixed and definite rules, which could not provide for every emergency, and which might in special cases prevent the head of the administration from selecting the most suitable agents. He objects, therefore, to the proposal in Question 184, that a fixed proportion of appointments should be expressly reserved for the Uncovenanted Service, or that special provision should be made for European or Eurasian members of that service.

182. Should persons so appointed be appointed provisionally and be required to pass through a period of probation before final confirmation?—See reply to Questions 110 and 111.

187 & 188. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed? If the Uncovenanted Service is closed to any natural born subjects of Her Majesty, on what grounds, bearing in mind the terms of Acts of Parliament and Her Majesty's Proclamation of 1st November 1858, is this to be justified?—These two questions involve a discussion of the standing orders of Her Majesty's Government, and raise wide political issues. It is very difficult also to answer them briefly; and on the whole the Lieutenant-Governor, without entering into the general field thus thrown open, would prefer merely to say that in his opinion the existing orders should not be altered without very careful consideration; though he considers that on a few subordinate points they might now be modified with advantage.

VI.—Pay, Leave, and Pension for Natives of India appointed to Covenanted posts, otherwise than through the channel of competition in England.

189 to 194. Is the rate* of pay at present granted to Statutory Civilians during probation and on final appointment respectively sufficient? If not, on what grounds do you consider it insufficient, and what rates of pay should, in your opinion, be granted to Statutory Civilians (*a*) while on probation, and (*b*) on final confirmation in their appointments? Would these rates of pay be suitable in the case of persons appointed to Covenanted posts from the Uncovenanted Service? Would they be suitable in the case of persons appointed to Covenanted posts from the professional classes? If not, how would you treat in regard to pay persons selected from these two classes if appointed to the lowest grade of the Covenanted Service? How would you treat in regard to pay such persons if appointed to any of the higher Covenanted posts without being required to pass through the lower grades?—(See reply to Question 121 and to the correspondence there cited, which contains the Lieutenant-Governor's views on the general question.) The present rate of pay is sufficient for young men brought into the lowest grade of the Covenanted Service. The case of mature men of "proved merit and ability" can be provided for, while still maintaining the rule as to reduction of salaries, under the Statutory Rules, by appointing them at once to higher and better-paid offices.

*Two hundred rupees a month on first appointment as probationers. Two hundred and fifty rupees a month after passing the Departmental Examination by the lower standard. After passing the Departmental Examination by the higher standard (unless specially exempted) and after having been confirmed in their appointments, 64 per cent. of what would be the gross pay or salary of the office if it were held by a Covenanted Civil Servant appointed after competitive examination in England.

195. Do you consider that a difference should be maintained between the rates of pay granted to Covenanted Civilians, who enter through the competitive channel in England, and to persons holding Covenanted posts who do not enter through that channel?—See reply to Question 121.

196. If so, what would you consider the fair rate of reduction to be made in the case of persons holding Covenanted posts who do not enter through the competitive channel in England?—See reply to Question 121.

197. Would you approve of an arrangement by which the pay of appointments would be a fixed sum to be drawn by the

holder whether he is a Covenanted or a Statutory Civilian, with an additional staff allowance to be drawn by those only who enter the service through the examination in England?—It seems to be little more than a transparent device for circumventing the difficulty of two different rates of pay.

198. Can you suggest any other way of providing different rates of pay?—See reply to Question 121.

199. If you consider there should be no difference of pay, how do you justify the application of the same rates of pay in the case of Natives who have satisfied the very high tests required by the examination in England and Natives who have not?—See reply to Question 121.

200. On the same assumption, what are your reasons for holding that the high rate of pay which is considered to be necessary to secure the services of persons of tested qualifications in a country far from their homes, and under various other unfavourable conditions, should be given to persons whose qualifications have not been so tested, and who serve in their own native country?—See reply to Question 121.

201 to 207. Have you any remarks to make on the leave rules embodied in the Civil Leave Code which apply to Statutory Civilians? At what age do you consider that Natives appointed to Covenanted posts otherwise than through the competitive channel in England should be entitled to retire on pension? After what length of service do you consider that such persons should be entitled to retire on pension? At what age should they be obliged to retire on pension? After what length of service should they be obliged to retire on pension? What amount of pension should, in your opinion, be granted to Natives so appointed if they serve the prescribed period for voluntary and compulsory retirement respectively? If, before serving the prescribed period for pension, they are compelled to retire on medical certificate, what gratuity, if any, would you give them?—See reply to Question 142.

VII.—General.

208 to 211. How far is the existing system of education in the higher schools and colleges in India well adapted for training young men to the public service? Can you suggest any improvements? In 1854 Lord Macaulay's Committee were of opinion that the best, the most liberal, and the most finished education to be procured in England was a necessary qualification for admission to the Civil Service. Do Indian schools and colleges at present supply an education of so high a standard? Do you consider that Indian schools at present develop the force of character and other qualities required for English administration? What has been the actual experience in your Province as to the general efficiency of educated Natives—graduates of the Indian Universities—employed in administrative work?—The issues raised by these questions are so large and indeterminate, and are so complicated by considerations external to the mere educational curriculum of Indian schools and Universities, that the Lieutenant-Governor would prefer not to enter in this place upon a discussion that must prove inadequate and unsatisfactory; the more so, because the whole question of Indian education has but recently formed the subject of an elaborate and long-protracted enquiry. His own view is that the present investigation should turn more upon the question of how the existing intelligence and educational training in the country can be best enlisted into the higher grades of the public service. Whether the training can be improved is a question leading to a separate field of discussion, and apart from the main issue.

212. How have Natives, placed in charge of sub-divisions or in other quasi-independent Positions, discharged their duties in your Province?—The steady increase in the number of responsible posts of this kind occupied by Natives in these Provinces shows that the Government is well satisfied with the result.

213 & 214. Do we now obtain for Government service Natives of the classes who, under Native rule, carried on the civil administration of the country? If not, where must we look for representatives of these classes, and how do you consider that their services could be best obtained?—The civil administration of these Provinces was in great disorder when we assumed charge of it. The Lieutenant-Governor doubts the utility of searching for the representatives of the classes who had been carrying it on under Native rule, for he believes they were in no degree superior to those who are now serving our Government; and they administered a totally different system. The question is, however, mainly historical.

215. How far would any system of appointment which involves a journey to and residence in England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—See reply to Question 137.

216. How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to and residence in England?—This is a real and serious objection.

217. Are the Natives who go to England from your Province for purposes of education limited to the wealthier classes?—They belong to families of respectable and well-to-do people.

218 to 220. Are they limited to any particular section of the community, or to any

Replies of the Govt. of the N.-W. P. and Oudh.

particular creed? Does a voyage to or residence in England involve the loss of social position or other unfavourable consequences, in the case of any section of the Native community? Does it result in placing those Natives who undertake it more or less out of touch and sympathy with their fellow-countrymen on their return to India? —The Commission will be able to satisfy itself on these points after hearing the provincial witnesses.

221. Would the requirement of a temporary residence in England as a condition precedent to, or following on, appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—See reply to Question 137.

222 to 227. If the Statutory system is discontinued, should special provision be made for the appointment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to and residence in England? If so, what provision should be made for this purpose? If the Statutory system is discontinued, do you consider that special provision should be made for the appointment to Covenanted posts of capable members of the professional classes? If so, what provision should be made for this purpose? Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family subject to such antecedent guarantees of fitness as may be considered sufficient in each case? Ought similar power to be reserved to Government to appoint to Covenanted posts persons who have proved their merit and ability in Government service, or in the exercise of a profession, without preliminary examination or competition?—It is difficult to suggest any expedient by which any of these objects, with which the Lieutenant-Governor has the greatest sympathy, could be attained, except by reviving the Statutory Rules under another name. The merit of the Statutory system, if worked as this Government has recommended, is that the higher offices are accessible, as in other countries, to able men of all classes, including those who would be practically barred out by the exclusive adoption of a system of open competitive examination.

228. If a thorough knowledge of English were made an essential qualification for appointment to Covenanted posts, would the field of selection in the case of persons already in the Uncovenanted Service, or engaged in the exercise of a profession, be unduly limited thereby?—The necessities of the regular administration generally require that every person appointed to the Native Civil Service should possess a good practical knowledge of English. But it would be very unwise for the Government to tie its own hands by making the rule absolute; for on some political emergency the restriction might become a manifest absurdity. Indian Government occasionally involves duties other than, though quite as important as, those of the ordinary settled civil administration.

229. If such is likely to be the case, could the difficulty be obviated by requiring proficiency in the English language to be tested by periodical examinations after selection, but during a probationary period?—The Lieutenant-Governor has no objection to this proposal for young men who enter the service at the bottom.

230. Should provision be made for the occasional appointment in very special and exceptional cases to Covenanted posts of persons of known ability and local influence whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grades for political or other reasons?—Undoubtedly, for the reasons given in the correspondence cited in reply to Question 70. The provision has already been made, deliberately, by two English Statutes.

231. To what extent, if any, could the prescribed Covenanted Civil Service *cadre* in your Province be reduced, without increase to the Uncovenanted Service?—It could not be reduced; it is already too low.

232. To what extent could the prescribed Covenanted Civil Service *cadre* in your Province be reduced if a corresponding increase were made in the English element of the Uncovenanted Service, or in the Native element, or partly in one and partly in the other?—In the Local Government's opinion the *cadre* of the Covenanted Service of these Provinces, as fixed by the Government of India after considerable discussion in 1881, could not at present, consistently with good administration, be further reduced. The *cadre*, as at present constituted, provides for the admission of one Native of India to every five Civilians recruited in England. This rule will have the effect of steadily diminishing the European element in each successive year, and the total strength of the *cadre* has been considerably reduced. It is impossible to venture upon any opinion, in a brief reply to this question, upon the practicability of reducing the balance of the Covenanted Service by a rearrangement of the proportions between English and Native in the Uncovenanted Service.

233. Assuming a fixed proportion to be maintained between Europeans and Natives in the Civil Service *cadre*, in what posts or classes of appointments do you consider that Europeans and Natives respectively might be employed with most advantage to the interests of the public service?—The Local Government would prefer not to reserve any particular posts or classes of appointments for Natives or Europeans in the Civil Service.

234 & 235. Would it be desirable to rule that the proportion of persons being Hindus and Muhammadans respectively, who

are from time to time or over a series of years appointed to the Covenanted ranks in any Province, should bear a certain relation to the number of the two classes composing the population of the Province concerned? What classes, ranks or professions of the Native community should be included among Hindus and Muhammadans, respectively, for the purpose of ascertaining the proportion of the population of each of these classes in the several Provinces?—The Lieutenant-Governor in appointing to the Statutory Service would certainly not overlook the respective claims of the Hindu and Muhammadan communities to a fair share in the higher public offices, but he is quite adverse to laying down fixed proportions by rule. All these minor regulations and restrictions will lead to complications, and will only embarrass the Government, which ought to keep a free hand. And the project of attempting to maintain numerical relations between the classes in the service and the classes in the population seems altogether objectionable.

236. How far should appointments in each Province to Covenanted posts be restricted to Natives of the Province concerned? Ordinarily they should be so reserved.

237. How would the following scheme be regarded by the Native community:—

(1) the Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only;

(2) the appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible?—See reply to Question 73.

238. How would you regard such a scheme?—See reply to Question 240.

239. How would the Native community regard the following:—

(1) the Covenanted Civil Service to be reduced to a fixed number of appointments to be filled by competition in England to which Natives and Europeans alike would be admitted;

(2) the appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible?—See reply to Question 73.

240. How would you regard such a scheme?—Questions 238 and 240. So far as these two schemes differ from the existing system, the Lieutenant-Governor does not consider that they would improve it. He sees no advantage either in confining competition in England to Europeans, or in throwing appointments in India open, more than they now are, to Europeans.

241 & 242. If either of the above schemes were adopted, how would the Native community view a proposal to combine the higher appointments of the Uncovenanted Service with the appointments taken from the Covenanted Civil Service so as to form an enlarged Civil Service to be recruited in India?—How would you view such a proposal?—This scheme is practically equivalent to the proposal in Question 232 to reduce the *cadre* of the Covenanted Service and increase the Uncovenanted.

243. How would the Native community regard the following scheme:—

(1) a certain number of appointments in the Covenanted Civil Service to be reserved for Natives;

(2) a certain proportion of that number to be filled by competition or by some other system in India;

(3) the remainder to be filled by competition in England?—See reply to Question 73.

244. How would you regard such a scheme?—The scheme appears to contemplate that the number of appointments made to the Statutory Civil Service would be liable to be reduced to the extent to which Natives of India succeeded in the English open competition. The Lieutenant-Governor would not advocate this change.

245. Assuming a system of nomination or of limited competition among nominated candidates, would Native opinion be in favour of giving a preference, as between candidates possessed of certain preliminary essential qualifications and having on general grounds fairly equal claims, in the following or any other order to—

(*a*) members of families of tried loyalty and distinguished service;

(*b*) persons of good social status and influence in the country; and

(*c*) persons of superior educational attainments, such as persons who have taken the degree of M.A.?—See reply to Question 73.

246. What is your opinion as to giving such preference?—(See reply to Question 35.) The Lieutenant-Governor would take into consideration every qualification that may tend to increase the value of a public servant; having regard, of course, to the work he may be wanted to do. This is done in other well-governed countries, and should be done in India.

247. How would the Native community regard a system of nomination on the ground of merit and ability shown in the service of Government, or in the exercise of a profession, alternating with a system of selection by means of competition, whether entirely open or amongst nominated candidates?—See reply to Question 73.

248. How would you regard such a system?—As regards selection by competition, see reply to Questions 98 and 103. The other portion of the question is covered by replies to Questions 100 and 101.

249 to 251. If the Statutory system were

maintained, and if a probationary period were required from nominees or selected candidates before final appointment, would it be necessary to insist upon such probationary period in all cases, *e.g.*, in the case of a person who has done good service in the Uncovenanted ranks?—In the case of persons nominated from the professional classes, is it desirable that a probationary period should be prescribed? If so, is it necessary that the incidents of such period as to duration and pay should be the same as those attached thereto in the case of Statutory Civilians, appointed on probation to the lowest grade of the Covenanted Service?—See reply to Questions 109 and 110.

252 & 253. On what principles should the promotion of Natives appointed to Covenanted posts otherwise than by the channel of the competition in England be regulated? Would you regulate such promotion only by considerations of fitness and approved personal merit?—The Lieutenant-Governor would refer to the authoritative decision of the Secretary of State, conveyed in his despatch of the 8th March 1883, that Native Civilians are appointed to particular offices, and have no claim to advance to higher posts on the ground of seniority alone. Subject to this rule the Lieutenant-Governor would give them, on proof of merit and capacity, the same advancement as is given to members of the Covenanted Service.

254 & 255. How would the appointment of Natives to the higher reserved posts without passing through the lower grades affect the vested rights or the reasonable expectations and prospects of officers who entered the Covenanted Civil Service before the year 1870? If those rights, expectations, or prospects would be prejudicially affected, how could they be safeguarded?—On this question the Commission may be referred to paragraph 6 of this Government's letter No. 15, dated 10th July 1885, to the Government of India.

256. Should Natives appointed to Covenanted posts be required to pass the Departmental Examinations?—Yes, in the case of probationers appointed to the lower grades. To make this an absolute rule for high offices would be absurd.

257 to 259. Should they be required to pass the Departmental Examinations by both the lower and higher standards within their probationary period, subject to the penalty of forfeiture of appointment if they fail to pass within that time, unless the period is for special reasons extended? or should a period longer than the probationary period be allowed for passing the Departmental Examination by the higher standard? or should the present rule be maintained under which probationers may be confirmed in their appointments at the close of the probationary period of two years, provided that they pass within that period the Departmental Examination by the lower standard prescribed for Covenanted Civilians appointed in England, no obligatory period being fixed for passing the higher standard, but no promotion or increase of pay being attainable until the higher standard examination has been passed, and power being retained to the Government to dispense with the services of a Statutory Civilian who may fail to pass by the higher standard within a reasonable time?—The present regulations seem appropriate.

260. What rule in regard to passing the Departmental Examinations should be applied in the case of persons appointed to Covenanted posts on the ground of merit and ability proved in the service of Government or in the exercise of a profession?—No rule; ordinarily they would be excused.

261 & 262.—Should subjects of Native States be eligible for appointment to Covenanted posts in British India? If so, should this be extended to all Native States in alliance with the Crown, or only to those in subordinate alliance?—They should not be specially excluded. The Native States largely employ our subjects.

263 & 264.—What system, if any, is at present adopted in your Province for bringing into the public service persons who, from their position or otherwise, cannot be expected to enter the service of Government in the lowest grades, and for giving them the necessary apprenticeship? Does the system work well, and what improvements can you suggest?—Considerable facilities are already given in these Provinces to the class of persons here mentioned. Such persons are not unfrequently nominated in the Judicial Branch to Munsifships, and in the Executive to Tahsildarships and Naib Tahsildarships, and to Deputy Collectorships. It has been for some time back the policy of this Government to recruit the higher branches of the Uncovenanted Service in this manner in order to secure well-educated and respectable officers.

VIII.—Composition, recruitment, &c., of the Subordinate Executive and Subordinate Judicial Services.

265. Of what different classes of appointments is the Subordinate Executive Service in your Province composed, including in the term "Subordinate Executive Service" all Subordinate Executive offices down to and including the office of Tahsildar or other office corresponding to that of Tahsildar, which are not reserved by law, or not ordinarily held by members of the Covenanted Civil Service?—Of Deputy Collectors, Extra Assistant Commissioners, and Tahsildars.

266. Into what grades is each class of the above executive appointments divided in your Province, and of how many appointments does each grade consist?—Deputy Collectors and Extra Assistant Commissioners are divi-

ded into seven grades, and Tahsildars into four grades. The appointments which each grade consists of, are shown below :—

Deputy Collectors and Extra Assistant Commissioners.

7th grade	3	appointments.
6th „	4	ditto.
5th „	8	ditto.
4th „	19	ditto.
3rd „	29	ditto.
2nd „	26	ditto.
1st „	19	ditto.

Tahsildars.

1st grade	32	appointments.
2nd „	47	ditto.
3rd „	65	ditto.
4th „	71	ditto.

267. What rate of pay is attached to each grade?—The rate of pay is shown below :—

Deputy Collectors and Extra Assistant Commissioners.

	Pay per mensem. Rs.
7th grade	800
6th „	700
5th „	600
4th „	500
3rd „	400
2nd „	300
1st „	250

Tahsildars.

	Pay per mensem. Rs.
1st grade	250
2nd „	200
3rd „	175
4th „	150

268. Of what different classes of appointments is the Subordinate Judicial Service in your Province composed, including in the term "Subordinate Judicial Service" all Subordinate Judicial offices down to and including the office of Munsif or other office corresponding to that of Munsif, which are not reserved by law for, or not ordinarily held by, members of the Covenanted Civil Service?—Of Judges of the Small Cause Courts, Subordinate Judges, and Munsifs in the North-Western Provinces and Oudh, and Sadr Amins in Kumaun.

269. Into what grades is each class of the above judicial appointments divided in your Province, and of how many appointments does each grade consist?—Subordinate Judges and Munsifs in the North-Western Provinces and Oudh are each divided into three grades. Judges of the Small Cause Courts and Sadr Amins are not graded. The appointments which each grade consists of, are shown below :—

Subordinate Judges, North-Western Provinces.

1st grade	4	appointments.
2nd „	7	ditto.
3rd „	12	ditto.

Subordinate Judges, Oudh.

1st grade	3	appointments.
2nd „	3	ditto.
3rd „	6	ditto.

Munsifs, North-Western Provinces.

1st grade	23	appointments.
2nd „	23	ditto.
3rd „	20	ditto.

Munsifs, Oudh.

1st grade	6	appointments.
2nd „	6	ditto.
3rd „	12	ditto.
Judges, Small Cause Courts	2	ditto.
Sadr Amins	2	ditto.

270. What rate of pay is attached to each grade?—The rate of pay is shown below :—

Judge, Small Cause Courts	Rs. 800	per mensem.
Subordinate Judge, North-Western Provinces and Oudh, 1st grade	„ 800	ditto.
Ditto, 2nd grade, North-Western Provinces	„ 600	ditto.
Ditto, 2nd grade, Oudh	„ 700	ditto.
Ditto, 3rd grade, North-Western Provinces and Oudh	„ 500	ditto.
Munsifs, North-Western Provinces and Oudh, 1st grade	„ 400	ditto.
Ditto, ditto, 2nd grade	„ 300	ditto.
Ditto, ditto, 3rd „	„ 200	ditto.
Sadr Amins, 1 @	„ 300	ditto.
Ditto 1 @	„ 200	ditto.

271. In the existing Subordinate Executive Staff how many persons are (1) Europeans; (2) Natives of India of pure descent; (3) Eurasians and others who, though not Natives of India of pure descent, fall within the meaning attached to the words "Natives of India" by the Statute of 1870 (33 Vic., Cap. 3, section 6); and (4) persons who are neither Europeans nor Natives of India, whether of pure descent or within the statutory meaning?—In the existing Subordinate Executive staff there are :—

(1) Europeans	2
(2) Natives of India	305
(3) Eurasians	16
(4) *Nil.*	

272. What particular appointments in the Subordinate Executive Service are at present held in your Province by persons falling under each of the above classes?—The two Europeans hold the appointments of Deputy Collectors, 4th grade. Of the 16 Eurasians :—

1	is a Deputy Collector of the		6th grade.
1	ditto	ditto	5th „
5	ditto	ditto	3rd „
3	ditto	ditto	2nd „
5	ditto	ditto	1st „
1	is a Tahsildar of the		1st „
Total 16			

Of the 305 Natives of India :—

3	are Deputy Collectors of the		7th grade.
3	ditto	ditto	6th „
7	ditto	ditto	5th „
17	ditto	ditto	4th „
24	ditto	ditto	3rd „
23	ditto	ditto	2nd „
14	ditto	ditto	1st „
31	are Tahsildars of the		1st „
47	ditto	ditto	2nd „
65	ditto	ditto	3rd „
71	ditto	ditto	4th „
Total 305			

273. What rates of pay are attached to the appointments thus held in each case?—The rate of pay of the appointments held by the two Europeans is @ Rs. 500 each per mensem. Of the 16 Eurasians—

1	draws	Rs. 700	per mensem.
1	do.	„ 600	ditto.
5	do.	„ 400	ditto.
3	do.	„ 300	ditto.
6	do.	„ 250	ditto.

Of the 305 Natives of India—

3	draw	Rs. 800	per mensem.
3	do.	„ 700	ditto.
7	do.	„ 600	ditto.
17	do.	„ 500	ditto.
24	do.	„ 400	ditto.
23	do.	„ 300	ditto.
45	do.	„ 250	ditto.
47	do.	„ 200	ditto.
65	do.	„ 175	ditto.
71	do.	„ 150	ditto.

274. What particular appointments in the Subordinate Judicial Service are at present held in your Province by persons falling under each of the above classes?—In the Subordinate Judicial Service one Eurasian is Subordinate Judge, 1st grade, in Oudh, and one Eurasian (or rather Native Christian) is a Munsif of the 3rd grade in the North-Western Provinces.

The rest are all Natives of India of pure Asiatic descent. They may be classified as follows:—

Subordinate Judges, North-Western Provinces.

1st grade	4
2nd „	7
3rd „	7

Subordinate Judges, Oudh.

1st grade	2
2nd „	3
3rd „	6

Munsifs, North-Western Provinces and Oudh.

1st grade	29
2nd „	29
3rd „	31
Small Cause Court Judges	2
Sadr Amins, Kumaun	2
Total	122

275. What rates of pay are attached to the appointments thus held in each case?—Of the two Eurasians named above, one draws Rs. 800 per mensem, and the other Rs. 200 per mensem.

And of the 122 Natives—

8	draw	Rs. 800	per mensem.
3	do.	„ 700	ditto.
7	do.	„ 600	ditto.
13	do.	„ 500	ditto.
29	do.	„ 400	ditto.
40	do.	„ 300	ditto.
22	do.	„ 200	ditto.
Total	122		

276. Under what system of selection or nomination are appointments at present made in your Province to the Subordinate Executive Service, as above defined?—(1) *Deputy Collectors and Extra Assistant Commissioners.*—Nominations in the North-Western Provinces are made by the Board of Revenue, while in Oudh recommendations for appointment are made to Government by Commissioners. A large proportion of the officers appointed are men who have had experience as Tahsildars or as Head-Clerks in Collectors' offices. Untried young men are first given office as Honorary Deputy Collectors: after passing the departmental examination and acquiring experience in practical work they become stipendiary Deputy Collectors. At least half the vacancies, however, are reserved as prizes for the former class of officials.

(2) *Tahsildars.*—Nominations according to a prescribed scale are annually made by District Officers, Commissioners, and the Board of Revenue. From among these nominees, the requisite number, with regard to probable vacancies in the two Provinces, is selected by a Committee which sits every year, consisting of the two Members of the Board, Oudh Revenue Secretary, and the Board's Secretary. The nominees thus selected are appointed in the order in which their names are arranged by the Committee.

277. Under what system are appointments similarly made to the Subordinate Judicial Service, as defined above?—In the North-Western Provinces the Government appoints on the recommendations of the High Court. Nominees must possess the qualifications specified in the rules prescribed by the Local Government with the sanction of the Governor-General in Council under section 6 of the Bengal Civil Courts Act (VI of 1874).

In Oudh the Judicial Commissioner nominates and the Government appoints. Rules specifying the qualifications of nominees similar to those in force in the North-Western Provinces have been prescribed.

278 to 282. Have any rules been framed for the purpose of regulating such appointments, and if so, what are they (*a*) in the case of the Subordinate Executive Service, and (*b*) in that of the Subordinate Judicial Service? What preliminary qualifications, if any, are required in the case of the Subordinate Executive Service and in that of the Subordinate Judicial Service respectively in regard to the age of candidates? In regard to their educational attainments? In regard to their moral, social and physical fitness? In other respects (if any)?—For rules see Appendix A.

283 & 284. Are the same qualifications, if any, required on the part of the holders of all appointments in the Subordinate Executive and Subordinate Judicial Services, respectively, as above defined, or are different qualifications required on the part of candidates for different classes of appointments? If the latter, what are the qualifications required, and to what class or classes of appointments do they respectively apply?—Different: see Appendix A.

285. Are appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, as above defined, made on probation?—In nearly all cases appointments are practically made on promotion, as nom-

inees are in the first place brought in to officiate temporarily. They generally have to officiate for a long time before they obtain permanent appointments.

286. If so, what is the length of the probationary period required?—The only positive rule is that no Tahsildar can be made permanent until he has officiated for at least a year.

287. What are its incidents as to pay and in other respects?—The Honorary Deputy Collectors do not, of course, receive pay. Probationary and Officiating Tahsildars and Officiating Deputy Collectors receive the full pay of the lowest grade.

288. If a probationary period is required, is it insisted upon in all cases, or is it dispensed with in any, and, if so, in what cases?—See Question 286.

289. What Departmental Examinations (if any) are persons appointed to the Subordinate Executive and Subordinate Judicial Services, respectively, as above defined, required to pass?—In the Subordinate Executive Service, Deputy Collectors, Extra Assistant Commissioners, and Tahsildars, and in the Subordinate Judicial Service, in Oudh Munsifs are required to pass the departmental examinations prescribed in the Examination Rules put up below.

290 & 291. Within what period (if any) from the date of original appointment must such examinations be passed? What is the penalty for failure to pass the examinations within the period prescribed?—Please see rule XIII of the Examination Rules. Officers who fail to pass in three successive examinations (held yearly) are liable to lose their appointments, and until they pass they cannot be confirmed or receive officiating promotion.

292 to 295. How is promotion regulated in the Subordinate Executive and Subordinate Judicial Services respectively, as above defined? Does such promotion depend on fitness only or merely on seniority? or is it regulated by considerations of fitness combined with considerations based on seniority? If so, what—relative weight is attached to fitness and seniority respectively?—Promotions are regulated by considerations of fitness combined with considerations based on seniority. Seniority entitles an officer to promotion in his turn if he is considered to deserve it. But exceptional services are occasionally rewarded by exceptional promotion.

296. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, regarded by influential sections of the Native community?—It is submitted that this is a point for witnesses.

297. Has the existing system the effect of securing for the Subordinate Executive and Subordinate Judicial Services, respectively, persons who are found to be thoroughly qualified for the performance of their duties?—Yes.

298. To what sections of Native society do the persons belong who accept, under existing conditions, appointments in the Subordinate Executive and Subordinate Judicial Services, respectively?—To all the educated classes.

299. To what extent do Natives of good family and education in your Province offer themselves as candidates for Subordinate Judicial and Executive appointments?—No difficulty in obtaining such candidates.

300. Do Natives who have been to England for purposes of study on their return to India willingly accept such appointments?—The number of such Natives is extremely small in these Provinces.

301. How far are such appointments in your Province restricted to persons *bonâ fide* resident in (and connected with) the Province?—In the Executive Service they are with rare exceptions so restricted in effect, though not by express rule. In the Judicial Service the same applies in a less degree, as a good many Munsifs and Subordinate Judges are Bengalis.

302. How far are the professional classes represented in the Subordinate Executive and Subordinate Judicial Services, respectively, in your Province?—They are largely represented in the Subordinate Judicial Service (see rules in Appendix A). Much less so in the Subordinate Executive Service.

303. Do members of the professional classes in your Province readily accept employment in those services?—Yes.

304 & 305. Whatever system or systems may at present be adopted for the purpose of regulating appointments to the Subordinate Executive and Subordinate Judicial Services, respectively, are any class or classes of persons expressly or practically excluded from such appointments? If so, how is such exclusion justified?—Not expressly, except by the orders of the Government of India cited in Question 308. It is difficult to say whether any class of persons who really merit such appointments and who come within the definition of Statutory Natives, is practically, though not intentionally, excluded.

306 & 307. Is it the case that certain classes of Uncovenanted appointments are practically reserved for Natives of pure descent owing to the fact that conditions are imposed which have resulted in shutting out Eurasians and other Statutory Natives of mixed descent? If so, how is such reservation justified?—No.

308 to 310, 314 & 315. What has been the effect on the efficiency of the Subordinate Executive and Subordinate Judicial Services in your Province of the orders of the Government of India, dated 18th April 1879, which debar, unless with the previous sanction of the Governor General in Council, (1) the appointment of any person, not being a Native of India within the Statutory meaning, to an office carrying a salary of Rs. 200 a month or upwards; and (2) the promotion to such an office of persons, not being Statu-

tory Natives, who entered the Department concerned after the 1st January 1879? Since the issue of the orders above cited have any undomiciled Europeans or other persons, not being Statutory Natives of India, been appointed either to the Subordinate Executive Service or to the Subordinate Judicial Service in your Province? If so, how many such persons have been appointed, and under what circumstances were the appointments made? How do European members of the Subordinate Executive and Subordinate Judicial Services, respectively, work with Native members of those services? Has experience shown that Europeans serving in such capacities become dissatisfied with their position and with the general conditions as to pay, promotion, and retiring annuity, under which they hold their appointments, and that their efficiency as public servants is consequently impaired?—There are only two Europeans in the whole Subordinate Executive and Subordinate Judicial establishment.

311 to 313. Is it, in your opinion, necessary that there should be a proportion of Europeans either in the Subordinate Executive Service or in the Subordinate Judicial Service, or in both of those services? If so, on what grounds do you consider that an admixture of Europeans is necessary? What, in your opinion, is the requisite proportion to be maintained between Europeans and Natives in those services?—Europeans should not be altogether excluded; but only a few are needed in the Judicial and Executive Branches; excluding the Police.

316 to 323. Are you in favour of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the Subordinate Executive and to the Subordinate Judicial Services as defined for the purposes of these questions? If so, what test would you apply? Do you think that the test should vary according to the character of the office to be filled? Generally, what system do you advocate for filling appointments in the Subordinate Executive and Subordinate Judicial Services as above defined? What preliminary qualifications would you require on the part of candidates for those appointments in regard to age and in other respects? Is it possible to devise any one system which would be equally applicable to all Provinces, having regard to the varying educational standards reached in the several Provinces and the varying conditions prevalent therein? Do you advocate the requirement of a probationary period, and if so, what should be the incidents of such period as to duration, pay, and in other respects? Would you require a probationary period in all cases, or would you dispense with it in certain, and, if so, in what cases?—This Government is satisfied with the rules at present in force in these Provinces, which have within the last few years been carefully revised in the light of practical experience, and which on the whole secure competent and trustworthy officers.

324. If an open competitive examination were held in India for the Covenanted posts reserved for Natives, would persons who gained high marks in that examination and showed decided proficiency, but who failed to secure a place amongst the successful candidates, form suitable nominees for Subordinate Judicial and Executive appointments in the Uncovenanted Service?—(See answer to Question 132). They would be suitable nominees, among others equally suitable.

APPENDIX A.

Rules for appointment of Tahsildars.

Notification of 19th June 1885.

Nomination to vacant appointments will continue under the rules of 1879, and the register maintained in accordance with them will hold good until the selection ordered by the following rules has been made. Probationary and Officiating Tahsildars now in office will be confirmed in accordance with the rules of 1879; and all Officiating Tahsildars who, on the 1st October 1885, shall have held officiating appointments for not less than six months, shall be deemed selected nominees under paragraph 5 of the new rules, and shall be placed in the register in order of seniority, and have priority over nominees subsequently selected under the rules:—

1. At the beginning of every calendar year each District Officer and each Commissioner of a Division may nominate one person for the office of Tahsildar. The Committee (mentioned hereafter) shall fix a date early in January for the submission by the Commissioners of the above-mentioned nominees. The Board of Revenue may nominate one person in each year. The Government reserves to itself a general power to nominate in special cases.

2. The nominees of District Officers must ordinarily be Naib Tahsildars or other officials serving in the district who, from their experience in the executive or administrative service of the Government and by reason of their educational, official, physical, and other qualifications, are deemed likely to become efficient Tahsildars. Where the District Officer can certify that no competent official of this description is serving in his district, he may nominate any other competent person who holds a certificate of having passed an examination not inferior to the middle-class Anglo-vernacular departmental examination.

3. The other authorities in whom the power of nomination is vested may nominate any persons possessing the educational qualification described in the last sentence of rule 2.

4. The names of persons nominated, together with full particulars respecting their antecedents and qualifications, must be submitted (as in rule 1) to the Secretary to the Board of Revenue by officers of the North-Western Provinces, and to the Oudh Revenue Secretary by Oudh officers. Each nominee of a District Officer shall be examined personally by the Commissioner through whom the nomination is submitted, and the Commissioner shall, in passing on the papers, record the result of such examination.

5. A Committee consisting of the two Members of the Board and of a Secretary to Government in the Oudh Revenue Department as Members, and of the Secretary to the Board as Secretary to the Committee, will each year select in the manner hereinafter prescribed from among the nominees so many of them as the Committee may determine to be required to fill vacancies likely to occur among Tahsildars during the year for which the nominations are submitted. The nominees who are so selected will be arranged by the Committee in the order of their claims and fitness for the office of Tahsildar, and their names reported to the Secretary to the Board for entry in that order in a register to be kept by him. Thereafter the arrangement of Tahsildars shall be made according to the result of the examinations. Nominees whose names are entered in that register will ordinarily be entitled, subject to these rules, to be appointed in the order in which their names stand, to be in the first instance officiating, and then permanent, Tahsildars.

Rejected candidates shall be classified by the Committee into—

(*a*) those deemed unfit and finally rejected;

(*b*) those in excess of the estimated vacancies, but who may be again nominated in a subsequent year.

No candidate classed under (*a*) shall be again nominated under these rules: provided that under special circumstances and with the previous sanction of Government, a nominee other than the nominee whose name stands first in order may be appointed to a temporary vacancy.

6. Before the date fixed under rule 8 in each year the Secretary to the Board and the Secretary to Government in the Oudh Revenue Department will furnish the Committee with an estimate of the number of vacancies, temporary and permanent, likely to occur among Tahsildars in the North-Western Provinces and in Oudh respectively during the year. The Secretary to the Board will also forward an extract from the register kept by him under rule 5 showing how many selected nominees still remain unprovided with appointments. On the basis of these estimates and extract the Committee will determine how many of the persons nominated in that year are to be selected by them as required to fill the vacancies likely to occur.

7. The Committee will make the selections at sittings to be held on a date to be fixed by them as soon as may be after the date mentioned in rule 1, and if possible not later than 1st March.

8. The Committee shall prescribe what forms and certificates in addition to the particulars mentioned in rule 4 shall be submitted with each nomination. The Committee will consider every particular in each case, and will have regard to the physique, social position, bearing, manners, and past services of nominees as to their educational qualifications. The Committee may, if it sees fit, call for the personal attendance of any nominee.

9. Not less than two-thirds of the nominees selected will be persons who have been nominated by Collectors and Deputy Commissioners.

10. When the Committee has made the selections and arranged the selected nominees in the order of their claims and fitness, the Secretary will transmit a report of the proceedings of the Committee to the Chief Secretary to Government, and a list of the selected nominees, arranged in the order determined by the Committee, to the Secretary to the Board. He will also, if possible before the end of March, inform each nominee through the authority which nominated him whether he has or has not been selected by the Committee.

11. Selected nominees who have not already passed the departmental examination for Tahsildars serving under the Government of the North-Western Provinces and Oudh, must appear at the next examination, whether they are actually in office by the time that examination is held or are still awaiting appointment.

12. No selected nominee will be appointed a permanent Tahsildar unless he has either before or after selection (*a*) rendered approved service in the office of Tahsildar for a year either continuously or for periods amounting in the aggregate to one year, and (*b*) passed the departmental examination for Tahsildars.

13. Every probationer must appear at each consecutive examination until he has passed. If he fails to pass at three successive examinations, he will be removed from office unless the Government otherwise direct.

14. All temporary vacancies which are likely to last more than two months, and all permanent vacancies, will be filled by nominees selected under these rules.

* * * * * *

17. These rules will come into force from the calendar year 1886, and will apply to the whole of the North-Western Provinces and Oudh, except the Kumaun Division.

Rules for appointment of Deputy Collectors.

Notification of 6th April 1880.

With reference to Notification of this Government No. $\frac{294A}{1}$, dated 12th March 1877, the Hon'ble the Lieutenant-Governor is pleased to notify that, in future, no person will be appointed to the post of Deputy Collector on the permanent establishment of the North-Western Provinces who is not qualified by a sufficient knowledge of English to discharge all the duties and conduct the correspondence connected with the charge of a treasury. The Government reserves to itself the power of relaxing the rule in favour of Tahsildars who, by their acquired experience and intimate acquaintance with the details of revenue administration, are, in other respects than a knowledge of English, qualified to discharge the duties ordinarily devolving on a Deputy Collector.

Extract from the letter from Secretary to Government, North-Western Provinces and Oudh, to the Secretary to the Board of Revenue, North-Western Provinces, No. $\frac{607}{I-413-1}$, *dated 27th June 1884.*

Paragraph 5.—In the case of Deputy Collectors His Honour is disposed to think that little change is required in the present method of nomination. Nominations in the North-Western Provinces are at present made by the Board; while in Oudh, recommendations for appointment are made by Commissioners. A large proportion of the officers appointed are Tahsildars, head-clerks, or persons who have held office under the Government. More recently, at the suggestion of the Board, a certain number of Honorary Deputy Collectors have been appointed who, after passing the departmental examination and qualifying by the acquisition of certain amount of practical experience in district work, are eventually appointed to be stipendiary Deputy Collectors. There is every prospect that this scheme will work well; and all that the Lieutenant-Governor and Chief Commissioner would for the present prescribe would be that at least half of the vacancies, permanent and officiating, should be reserved for Tahsildars and other Government officials, and that in persons appointed to be Honorary Deputy Collectors, a fairly high standard of educational qualification should be required.

Rules for appointment of Munsifs.

Notification of 17th May 1881.

Under section 6 of the Bengal Civil Courts Act (VI of 1871), the following rules on the subject of the qualifications of persons to be appointed to the office of Munsif are hereby published for general information, in supersession of all previous rules:—

The following persons shall be qualified to be appointed to the office of Munsif:—

1. Any Vakil of the High Court of Judicature for the North-Western Provinces.

2. Any person who holds a certificate of the Examination Board that he has qualified for admission as a Vakil of the High Court of Judicature for the North-Western Provinces.

3. Any person who has obtained the degree of Bachelor of Law of the Calcutta University, and for three years has practised in any Court subordinate to the High Court of Judicature for the North-Western Provinces, or for three years has held the office of General Assistant, Translator, Reader, Decree-writer, or Trial clerk in the High Court of Judicature for the North-Western Provinces, or of Munsarim, Translator, or Reader in a District Court in the North-Western Provinces.

4. Any person who for three years has held the office of Deputy Collector or Tahsildar, or of General Assistant, Translator, Reader, Decree-writer, or Trial clerk in the High Court of Judicature for the North-Western Provinces, or of Munsarim, Translator, or Reader in a District Court in the North-Western Provinces, and who is further qualified as hereinafter provided, that is to say—

(*a*) is a Pleader of the upper subordinate grade; or

(*b*) holds a certificate of the Examination Board that he has qualified for admission as a Pleader of the upper subordinate grade; or

(*c*) holds a certificate of the Examination Board that, by the special permission of the Government or of the High Court of Judicature for the North-Western Provinces, he was examined at the examination held under rule 28 of the Circular Order of the High Court No. 19 of 1880, and obtained such a number of marks that if he had appeared as a candidate for admission as a Pleader of the upper subordinate grade, he would have obtained a certificate of qualification.

5. Provided that all persons not born and bred in the Panjab, Oudh, and the North-Western Provinces, or Bengal west of Patna, shall be required, before appointment to the office of Munsif, to undergo an examination in a vernacular language of the North-Western Provinces.

Notification of 8th December 1884.

It is hereby notified for general information that appointments to the office of Munsif in Oudh will in future be confined to persons who come under one or other of the classes given below :—

1. Vakils of the High Court of Judicature, North-Western Provinces, or Pleaders of the Judicial Commissioner's Court in Oudh, or Bachelors of Law of the University of Calcutta.

2. Persons who hold a certificate of the Examination Board that they have qualified for admission as a Vakil of the High Court, North-Western Provinces, or as a Pleader of the Court of the Judicial Commissioner of Oudh.

3. Persons who have for three years held the office of Deputy Collector, Extra Assistant Commissioner, or Tahsildar, or of Registrar or Deputy Registrar of the Court of the Judicial Commissioner.

4. Persons who have for three years held the office of Munsarim in the Court of the Judicial Commissioner or of Sessions Judges, District Judges, or Deputy Commissioners in the North-Western Provinces or Oudh and who have further qualified by passing the examination for admission as Pleader of the upper subordinate grade.

II.

Memorandum on the special features of the North-Western Provinces and Oudh bearing on the Administration.

1. The area of the North-Western Provinces and Oudh, exclusive of Native States having direct relations with the Provincial Administration, is 106,000 square miles, and its population 44,107,869 souls. The excluded Native States are—(1) the territories of the Nawáb of Rámpur with an area of 945 square miles and a population of 541,914 souls; and (2) the hill State of Tehri-Garhwál with a population of 199,836 souls, and an area of 4,180 square miles. The Family Domains of the Mahárája of Benares are included in the area and population returns of the districts of Benares and Mirzapur, and contain 986 square miles and 439,851 inhabitants. The Provinces are bounded on the north by the Chinese Empire and Nipál; on the east by the Behar Division of the Lower Provinces; on the south by the Chutia Nagpur Division of the Lower Provinces, the Rewah State, the Native States of Bundelkhand, and the Sagar Division of the Central Provinces; and on the west by the Native States of Gwalior, Dholpur, and Bhartpur, and by the Punjáb. The Jumna forms for some distance a natural western boundary.

2. The Provinces include the whole of the upper portion of the wide Gangetic basin; and consist for the most part of fertile, populous, and well-tilled country irrigated naturally by rivers, lakes, and marshes; and artificially by canals and wells. A large portion of the Himalayas and of the submontane region below them is still fringed with forests, which are protected in the interests of the economic needs of the Province. Between this region and the Ganges lie the naturally rich Province of Oudh, the densely-peopled division of Benares, and the important and once turbulent districts of Rohilkhand. Between the Ganges and the Jumna is the plain of the Doáb, equally populous and long the home of active commerce. It is traversed throughout its length by the railway and the grand trunk road, and contains the magnificent irrigation systems of the Upper and Lower Ganges, the Agra, and the Eastern Jumna Canals.

3. Owing to the somewhat uncertain character of the rainfall, the Doáb, especially in the lower and south-westerly portions, is liable to periodic droughts, and in the early years of British rule was every twenty or thirty years the scene of widespread misery and desolation. Improved communications and canals, however, combined with the growing resources of the agricultural population, have in a great measure, equipped this tract to better withstand such calamities, though a failure of the rains in any year will continue to be a source of supreme anxiety.

4. The districts south of the Jumna are ordinarily known as Bundelkhand, as they geographically form part of the system of feudatory Hindu States supervised by the Bundelkhand Political Agency. On the west they touch the Mahratta State of Scindia. In this part of the Province British and Native territory is greatly intermixed, and the administration has to be conducted with due regard to political relations. British Bundelkhand is the poorest and most backward region of these Provinces. The soil is generally rocky and unfertile; the population scanty, poor, and ignorant; and imperfect communications have hitherto checked trade and intensified the effects of drought and scarcity. The country is now, however, being opened up by the railways under construction.

5. The mass of the population of the Provinces consists of Musalmans and Hindus; the number of Jains, Buddhists, Christians, and others being numerically unimportant. The following table gives the numbers of Musalmans, Hindus, Jains, and Christians:—

Musalmans	5,922,886
Hindus	38,053,394
Jains	79,957
Christians (including British troops)	47,664

The population of the Rohilla State of Rámpur is, roughly speaking, half Muhammadan and half Hindu, while that of Tehri-Garhwál is wholly Hindu. Of the Muhammadan population of the province only 17,000 belong to the Sunni sect.

6. Six towns in the Provinces contain 100,000 inhabitants, *viz.*:—

Lucknow	261,303
Benares	199,700
Agra	160,203
Cawnpore	151,444
Allahabad	148,547
Bareilly	113,417

and in eight other towns the population exceeds 50,000, *viz.* :—

Meerut	99,565
Sháhjahánpur	74,830
Moradabad	67,387
Farukhábad	62,437
Aligarh	61,730
Saháranpur	59,194
Gorakhpur	57,922
Mirzapur	56,378

Sixty-nine towns in addition to the above contain populations exceeding ten thousand but less than fifty thousand, and 181 towns have populations between 5,000 and 10,000 inhabitants. The population of these 282 towns amounts to 4,266,000, so that the bulk of the population of the Province may be classed as villagers, or as residents of towns which are little more than superior villages. For every one person dwelling in a town ten dwell in villages.

7. The territory administered by the Lieutenant-Governor and Chief Commissioner is divided in the first instance into eleven Commissionerships or Divisions, which may be grouped as follows, according to the nature of their administration :—

I.—The five unscheduled divisions of the North-Western Provinces Proper;

II.—The four divisions of Oudh;

III.—The two scheduled divisions of Jhánsi and Kumaun.

The names of the divisions and districts are as follows :—

I.

Division.	*District.*	*Division.*	*District.*
MEERUT	Dehra Dún. Saháranpur. Muzaffarnagar. Meerut. Bulandshahr. Aligarh.	ROHILKHAND	Bijnor. Moradabad. Budaun. Bareilly. Sháhjahánpur. Pilibhít.
AGRA	Muttra. Agra. Farukhabad. Mainpuri. Etawáh. Etah.	ALLAHABAD	Allahabad. Cawnpore. Fatehpur. Bánda. Hamírpur. Jaunpur.

Division.	*District.*
BENARES	Azamgarh. Mirzapur. Benares. Gházipur. Gorakhpur. Basti. Ballia.

II.

Division.	*District.*	*Division.*	*District.*
LUCKNOW	Lucknow. Unao. Bara Banki.	FYZABAD	Fyzabad. Bahraich. Gonda.
SITAPUR	Sitapur. Hardoi. Kheri.	RAE BARELI	Rae Bareli. Sultanpur. Partabgarh.

III.

JHANSI	Jhánsi. Jalaun. Lalitpur.	KUMAUN	Kumaun. Garhwál. Tarái.

The total number of districts in the Province is therefore 49.

8. The area of the different districts varies from 6,000 square miles, in the case of mountainous and thinly-populated Kumaun to 970 square miles in the case of Lucknow and Benares with their populous capitals. The average area of an ordinary district may be roughly put at 2,000 square miles with a population of nearly a million. The largest district in point of population is Gorakhpur, which contains over two-and-a-half million inhabitants, with an area of nearly 4,600 square miles. Two of the largest districts (Bánda and Gorakhpur) have each a sub-division, which is usually under the charge of a resident European officer.

9. For revenue purposes as well as for those of general administration, districts are further sub-divided into *tahsíls*, each of which is in charge of a native officer, who has usually

magisterial as well as revenue powers. The number of tahsíls in a district varies considerably. In no Oudh district is the number more than four, while Cawnpore and Allahabad have nine tahsíls each, and many other districts in the North-Western Provinces have five and six. The population of the tahsíls is largest in the Benares Division, both in the temporarily and in the permanently-settled tracts. In Gorakhpur one tahsíl has a population of 560,000 persons. The Utraula tahsíl in the Gonda district comes next with a population of 556,729.

10. Every district is also, for purposes of police administration, divided into a certain number of *thánas*, each under a native police officer. The head-quarters of a tahsíl are usually also the head-quarters of a police circle; but as it is the district, and not the tahsíl, that is subdivided into police circles, the boundaries of the tahsíl and of the thánas it contains do not necessarily coincide. The total number of thánas in the Provinces is 833, giving an average area (excluding the districts of Kumaun and Garhwál) of about 113 square miles. The number of thánas in a district varies from 30 to 35 in Meerut, Agra, and Gorakhpur, to 6 in Dehra Dún and the Tarái, and is, as a rule, much smaller in Oudh districts than in those of the North-Western Provinces. The population of a thána ranges from 215,000 in Kheri to 1,327 at Chakráta in Dehra Dún, and is on the whole largest in Oudh and the eastern districts, and sparsest in the country south of the Jumna.

11. The divisions of the Provinces for judicial purposes vary somewhat in different parts. In the North-Western Provinces, where Judges exercise both civil and criminal jurisdiction, the 31 unscheduled districts are grouped into 18 Civil Judgeships and 19 Sessions Judgeships. Of the Civil Judgeships it may be said that the jurisdiction of six is limited to a single district, of eleven to two districts, and of one to three. Of the Sessions Judgeships the jurisdiction of eight extends over one district, of ten over two districts, and of one over three. Subordinate Judgeships do not require special notice as the jurisdiction of a Subordinate Judge is conterminous with that of the District Judge, except in the case of the two Subordinate Judges at Gházipur, one of whom exercises jurisdiction over the Gházipur district and the other over Ballia. In Oudh there is one Civil Judge to each revenue division. Criminal jurisdiction is vested in the Divisional Commissioner as Sessions Judge. Subordinate to the Civil Judge in Oudh is the Subordinate Judge, one of whom is attached as a rule to every district.

12. The Civil Judgeships are divided into munsifis. These have been in almost every instance so formed that their boundaries coincide with those of one or more tahsíls.

13. In Jhánsi and Kumaun no separate divisions are required for judicial purposes, as the executive staff are vested with civil judicial powers, the Commissioner taking the place of the Judge in regard to civil matters.

14. The unit of administration throughout these Provinces, as elsewhere, is the district; but the form of district administration, owing to causes partly historical and partly economic, varies somewhat in different parts. The districts comprising the Divisions of Kumaun and Jhánsi, for instance, are known as non-regulation districts. In more accurate language they are districts which on account of their backward character have been excluded under the Scheduled Districts Act (XIV of 1874) from a portion of the general body of law in force in the North-Western Provinces and placed under simpler provisions. Thus the civil court work in the Jhánsi Division is performed by the district officials, from the tahsíldár upwards. Oudh also, in respect of civil court work, was originally administered on the non-regulation system. But in 1878-79 the district officers were relieved of the civil portion of their duties, and a staff of Civil Judges appointed. Both in Oudh and in the Jhánsi Division the head of the district is styled the Deputy Commissioner, and not, as in the rest of the Province, the Collector, and there the Magistrate of the district has larger criminal powers than in the other portions of the Province. Oudh, however, is not, like Jhánsi, a "scheduled" Province, though in certain respects, it is under a distinct body of local law, and is administered by a Chief Commissioner, the Lieutenant-Governor of the North-Western Provinces being in respect of Oudh the Chief Commissioner.

15. In the Kumaun Division the local authorities of the two districts of Kumaun and Garhwál have more extensive powers than in any other part of the Province. The Commissioner, in addition to the ordinary powers of such officers, has in criminal matters the powers of a Sessions Judge, and in most civil cases of a High Court. The Senior Assistant Commissioner is the District Judge, and has authority to try original suits without limit of amount. In revenue matters the Commissioner is subordinate to the Board of Revenue. The Tarái is to a great extent a Government *zamíndári* or direct property, and rents are collected for the State direct from the cultivators without the intervention of any intermediate landlord. It is managed by a Superintendent, who is in charge of the district and is immediately subordinate to the Commissioner of Kumaun.

16. In every district the Magistrate and Collector or the Magistrate and Deputy Commissioner is the direct representative of the executive Government in all departments, and is ordinarily a member of the Covenanted Civil Service. Primarily he is responsible for the peace of the district and the collection of its revenue; but there is no branch of the administration with which he is not concerned. He is head of the police; is responsible for the work of the district treasury; superintends the excise and the collection of the revenue from stamps; assesses the income-tax; is still in many cases (and was always till lately) President of all the municipalities in his district and of the district committee for

the expenditure of local rates. He is required to interest himself in all matters in which Government has any concern, and to look after escheats, sanitation, roads, and arboriculture. He also hears criminal and revenue appeals from the subordinate courts; he has always the power, and in some parts of the Province is expected, to take a share in the criminal work of the district; and in Oudh and Jhánsi his jurisdiction extends to the sentencing of criminals to seven years' imprisonment. To aid him in performing these and other duties he has a staff of Assistants, of whom one at least is usually a Covenanted officer. One of these Assistants, generally a native officer styled a Deputy Collector, takes the work of the treasury, and the ordinary work of the district is parcelled out amongst the others. The police are under a special officer, the District Superintendent, who is the Magistrate's Assistant in the Police Department, and who works immediately under that officer.

17. Above the Magistrate and Collector is the Commissioner, whose duties in the unscheduled districts of the North-Western Provinces are mostly those of supervision and inspection. A Commissioner in the North-Western Provinces has six or seven districts subordinate to him, while in Oudh and Jhánsi three districts form a Commissionership. The Commissioner is the channel of communication between the District Officer and the Board of Revenue or the Government. He also hears appeals from the Collectors and their subordinates in rent and revenue cases, and is vested with large executive and police powers. In Oudh and Jhánsi the Commissioners, as already noticed, combine criminal jurisdiction with their revenue and executive duties, being the Sessions Judges of their respective divisions.

18. The Board of Revenue for the North-Western Provinces consists of two Members, whose primary duty it is to superintend all matters connected with the collection and settlement of the land-revenue. The Board also supervises the administration of the excise, stamp, license-tax revenues, and acts as Court of Wards for the Province. In its judicial capacity the Board is the highest court of appeal in certain revenue matters. The Board of Revenue for the North-Western Provinces has, with the exception noted below, no jurisdiction in Oudh revenue matters, which are partly administered direct by the Chief Commissioner, and partly (so far as rent-litigation is concerned) by the Judicial Commissioner. But with regard to income-tax, excise, and stamps the Board's jurisdiction extends to Oudh.

19. The Jail, Police, Education, Medical and Sanitation Departments, and the Department of Agriculture and Commerce, are administered by special officers, who, with the exception of the officer controlling the last-mentioned Department, which is in some respects subordinate to the Board of Revenue, act directly under the control of Government. The chief governing power rests with the Lieutenant-Governor and Chief Commissioner, whose Secretariat staff consists of three Secretaries, one of whom has charge of Finance, and three Under-Secretaries. The administration of the Department of Public Works is under the charge of the Chief Engineer (Buildings and Roads), who is Secretary in the Public Works Department, and of the Chief Engineer for Canals, who is Secretary in the Irrigation Branch.

20. To this summary description of the official organization of the North-Western Provinces and Oudh may be added a fuller account of some peculiar features in the administrative work of these Provinces.

21. The military importance of these Provinces, both on account of their past history and of their geographical situation in relation to the rest of India, is too well known to require explanation. The strength of military force cantoned in them falls little short of that of the Punjab. According to the Bengal Army List* there are 15 batteries of Artillery, 11 Cavalry, and 29 Infantry Regiments stationed in 25 cantonments in the North-Western Provinces and Oudh. This is equivalent to a force of nearly 27,000 men. About half the districts in the Provinces have therefore some troops quartered in them. The largest garrisons are at Allahabad, Lucknow, Meerut, Cawnpore, Bareilly, and Jhánsi. The three companies of Engineers are at Roorkee, an important post on the Ganges Canal in the Saháranpur district, and the head-quarters of the Engineer Corps of the Bengal Presidency. This large garrison with its arsenals and factories, its remount and commissariat operations, its fodder and transport requirements, inevitably makes many calls on the good-will and co-operation of the civil authorities; and necessitates intimate and cordial relations between the District Magistrate and the Divisional Commissioner on the one hand and the officers in command of the troops on the other. If this were not the case, not only would the natural difficulties arising from the location of British troops among the native population be increased, but the mobility and efficiency of the army in times of emergency might be seriously diminished.

* Sappers and Miners (Companies)	3
Artillery Batteries . .	15
European Cavalry Regiments	3
Native Cavalry Regiments	8
European Infantry Regiments	14
Native Infantry Regiments	15

22. The police administration of most districts in these Provinces at all times calls for a certain amount of self-reliance and courage on the part of the District Magistrate; and occasionally requires the exercise of these qualities in the highest degree. In certain districts the advent of particular Hindu or Muhammadan anniversaries habitually entails elaborate precautions on the part of the police, and the coincidence in point of time after every cycle of eleven or twelve years of the two great ceremonials of the Muharram and the Ramlila sometimes leads to riot, if not to bloodshed. In 1871, for example, the two

towns of Bareilly and Pilibhít, in spite of much resolution and forethought on the part of the European Magistrates and their staff, were for some time completely in the hands of the mob, and were only restored to order by British troops after 200 persons had been killed and wounded and much property destroyed. The next year similar disturbances occurred in the neighbouring town of Moradabad, which also required the intervention of troops. In 1876 at Khurja in the Bulandshahr district the attempt of the Jain community to parade their idols through the streets on the occasion of opening a new temple occasioned a riot. Last year (1886) the Ramlila and Muharram again coincided, and in every important town in the Provinces special precautions by order of the Government were taken beforehand by the Magistrates. Notwithstanding these, a riot occurred at Etáwah which had to be suppressed by troops, and another in a small town in the Budaun district, in which two men were killed.

23. In many districts the existence of large towns gives the head of the district a good deal to do. These towns have been constituted municipalities under the law, and are administered by elected boards under the general supervision of the head of the district, in whom the law vests important powers of control and intervention. In 71 out of the 108 municipalities in the Provinces the District Magistrate is at present the elected Chairman, and as such is the chief motive power of the municipal administration. In six other towns* owing to their importance or to the peculiar character of the population, the Government has, under powers vested in it, constituted the District Magistrate the *ex-officio* Chairman of the Board. In the first four towns on the list a large European and Eurasian population makes it desirable that the Chairman should be a European official; and in the last two towns dissensions between Hindus and Muhammadans have pointed to the same precaution. It may be added that the total municipal population of the Province exceeds 3,000,000, and that the municipalities dispose of a revenue of 27 lakhs.

* Allahabad. Lucknow. Benares. | Agra. Bareilly. Moradabad.

24. In every district in the Province the District Magistrate is at present also the Chairman of the District Local Board created under the new system for the better local self-government of districts. The Local Act (XIV of 1883), in constituting Sub-District and District Boards and defining and regulating their powers, left it to the discretion of the District Boards either to elect their own Chairman, or to leave the appointment to be made by Government. Although it was well understood by the members of the Boards that if the latter course were followed, the Government would appoint the Magistrate of the District, yet it has been adopted in every case. The Magistrate therefore for the present remains the active head of local administration and finance.

25. In many districts the administration of the land-revenue requires a good deal of care and experience. The land-revenue of the Provinces amounts to nearly £6,000,000, representing more than one-fourth of the total land-revenue of British India: and a further sum of half a million is also taken from the land in the shape of local rates and cesses. The realization of this large revenue with punctuality and at the same time with due regard to the circumstances of the agricultural population is one of the most important duties of the District Officers. Drought, floods, hailstorms, and similar calamities not unseldom impair the ability of cultivators and landowners to meet their obligations, and in such cases careful inquiry has to be made as to whether land-revenue should be suspended or remitted. Especially is this the case in Bánda, Jhánsi, and other districts of the Bundelkhand character, where agriculture is always somewhat precarious, and where the circumstances of individual villages vary greatly during the term of the settlement. Connected with these duties are those imposed upon the Collector and his subordinates by the local tenancy laws, which both in Oudh and in the North-Western Provinces constitute revenue officers the rent courts for the decision of all cases arising out of the statutory relations of landlords and tenants. In Oudh the tenancy-law has recently been revised with the object of giving greater protection to the tenant, and the satisfactory working of its provisions will greatly depend on the good judgment and care of the revenue officers. Lastly, it may be noticed that in every village throughout the Provinces the rights of every cultivator and landowner in respect of every individual field are systematically recorded, and the record constantly revised so as to keep it in accordance with existing facts. This elaborate record-of-rights is the foundation both of the land-revenue assessments and of the statutory protection secured by law to the cultivator of the soil. The army of village accountants and supervisors by whom this work is performed is partly under the control of a special officer, the Director of Agriculture, and partly under the control of the district authorities, and its efficiency greatly depends upon the care bestowed upon it by the latter.

26. It remains to give some information of the agency at the disposal of the Local Government in the executive and judicial branches of the administration. This agency comprises (1) the superior service, composed of "Covenanted" Civilians recruited in England, and of a few Military and "Uncovenanted" officers holding posts ordinarily reserved for the Covenanted Service; (2) the subordinate service. Full details of the constitution of these two services have already been supplied to the Public Service Commission,* and a brief summary will probably here be sufficient.

* Letter No. $\frac{5751}{11-592-48}$, dated 20th December 1886.

27. The sanctioned strength of the superior service provides for the following charges:—

Administration—		
Lieutenant-Governor	1	
Secretaries and Under-Secretaries	6	
Board of Revenue (2) and Secretaries (2)	4	
Commissioners of Divisions	11	
Executive—		
Heads of districts	49	
Assistants to ditto	48	
Judicial—		
High Court, North-Western Provinces	3	(excluding the two Barrister Judges.)
Judicial Commissioner, Oudh	1	
Divisional Judges	22	(excluding 1 Oudh Judgeship held by Mr. Syed Mahmud.)
Assistant Judges	3	

28. The superior service also has a reserve of officers to supply the requirements of miscellaneous departments and the Government of India, to fill the places of absentees on leave, and to admit of a certain number of newly-joined officers being in training. On the 1st December 1886 the actual working strength (excluding absentees and officers in training) was 175. Of these 135 were "Covenanted" Civilians (of whom one is a Native of India), four Native "Statutory" Civilians, 27 Military Commissioned officers (including 12 Cantonment officers), and nine Uncovenanted officers (Europeans and Eurasians). To these should be added the two Barrister Judges of the High Court, and Mr. Syed Mahmud, a District Judge in Oudh.

29. The sanctioned strength of the subordinate services is—

Executive—	
Deputy Collectors	108
Tahsíldárs	215
Judicial—	
Subordinate Judges	30
Judges, Small Cause Courts, and Sudder Amins	4
Munsifs	90
TOTAL	447

Of these only two are Europeans, 18 are Eurasians, and the rest pure Natives af India. All the Subordinate Judges and 34 of the Deputy Collectors receive salaries from ₹500 to ₹800 a month. The salaries of the remaining Deputy Collectors range between ₹250 and ₹400, and those of Munsifs between ₹200 and ₹400. Tahsíldárs receive from ₹150 to ₹250.

30. Some miscellaneous facts may, in conclusion, be given which will indicate the comparative financial importance of these Provinces and their material condition. The population exceeds one-fifth of the total population of British India, and in point of density (415 to the square mile) is equalled only by Lower Bengal. The gross annual revenues (Imperial, Provincial, and Local) amount to 8¾ millions sterling, or more than one-sixth of the total revenues of British India. The magnitude of the land-revenue has already been mentioned. In addition to this, half the gross opium revenue of British India, or 4¼ millions out of 8½ millions, is derived from these Provinces. The capital expended on canals amounts to over £6,000,000, on which interest at 7 per cent. is annually earned. Excluding distributaries, 1,500 miles of canal are open, irrigating annually 2,000,000 acres of crops. There are about 1,500 miles of railway open, representing probably a capital expenditure of at least eight millions sterling; also some 27,000 miles of ordinary roads. The total annual value of the rail-borne exports and imports of these Provinces exceeds £27,000,000.

III.

No. 3, dated 16th November 1886.

From—The Secretary to the Public Service Commission,

To—The Chief Secretary to the Government of the N.-W. Provinces and Oudh.

Vol. II. Sec. I. Sub-Sec. B.

Information supplied by the Govt. of the N.-W. P. and Oudh.

With reference to the Resolution of the Government of India in the Home Department, No. 34—1573-83, dated 4th October 1886, on the subject of the appointment of a Commission for the purpose of enquiring into the question of the employment of Natives of India in the public Service, I am directed to request that, with the permission of His Honour the Lieutenant-Governor and Chief Commissioner, you will be good enough to favour the Commission with full details showing the number of "charges" or offices in which Covenanted and Uncovenanted officers, engaged in the Executive and Judicial administration of the country, are at present employed, together with complete information as to the apportionment of these "charges" or offices amongst members of the Covenanted and Uncovenanted Services respectively in the North-Western Provinces and Oudh.

2. Columns 2—14, inclusive of the statement embodied in paragraph 7 of the Resolution of the Government of India in the Home Department, No. 68—2024-35, dated 15th December 1881, show the nature of the statistics required, and I am to request that the return now asked for may be rendered as complete as possible so as accurately to represent existing facts. I am at the same time to enclose detailed lists of appointments upon which the figures given in the Resolution of 15th December 1881 in regard to the North-Western Provinces and Oudh were based, and to request that corresponding details may be furnished of the figures entered under each column of the present return.

3. The Commission would also be glad to be furnished with figures showing the existing cadre of the Covenanted Civil Service in the North-Western Provinces and Oudh, together with information regarding the proportion to the total strength of that service of (1) effectives, (2) officers on leave and other non-effectives, and (3) officers in training, respectively.

Reply No. 5751—II-592-48, dated Allahabad, the 20th December 1886.

From—The Chief Secretary to the Government of the N.-W. Provinces and Oudh,

To—The Secretary to the Public Service Commission.

In reply to your letter No. 3, dated the 16th November 1886, I am directed to forward the accompanying statements which will furnish the Public Service Commission with details of the number of "charges" or offices in which the Covenanted and Uncovenanted officers, engaged in the Executive and Judicial administration of the North-Western Provinces and Oudh, are at present employed, and also as to the apportionment of these "charges" or offices amongst members of the Covenanted and Uncovenanted Services respectively.

2. The statement embodied in paragraph 7 of the Resolution of the Government of India in the Home Department, No. 68—2024-35, dated the 15th December 1881, has been generally adopted as a guide in the preparation of the returns, though it has been found impossible to determine in every case how the figures shown in that statement were arrived at. From the language of the Resolution, it would seem that officers absent on leave of any kind and unpassed assistants were excluded by the compilers of the statement, and this principle has been adopted in preparing the returns now submitted. At the same time it has been thought advisable to show the nominal strength, or number of officers on the list of the Commission, side by side with the actual working strength, thus ascertained. The 1st December 1886 has been taken as the date.

3. Beginning with the first half of the return, which shows the staff of Covenanted Civilians, Military Commissioned Officers, and Uncovenanted Officers occupying posts usually held by members of Commissions, the nominal strength on the 1st December 1886 amounted to 264, and the actual working strength to 206. In both the nominal and working strength are included the 31 officers who are absent on deputation under the Government of India. Excluding them from the actual working strength, it is reduced to 175. The difference between the actual and nominal strength is thus accounted for: 37 officers are absent on leave (including privilege leave), 12 assistants have not yet passed the examinations, and 9 others, though appointed to the Provinces by the Secretary of State, had not joined up to the 1st December. The actual working force of 175 officers on the 1st December was thus constituted:—

Covenanted Civilians	135
Statutory Civilians	4
Military Commissioned Officers	27
Uncovenanted Officers	9
TOTAL	175

4. The second half of the return shows the appointments usually held by Uncovenanted Officers. Among these are included, as in the Government of India's statement, the two Barrister Judgeships in the High Court and the District Judgeship in Oudh reserved under the orders of the Supreme Government for Natives of India. The nominal strength of the Uncovenanted branch on the 1st December 1886 was 461, and the actual strength 509. The excess in the actual strength is due to the entertainment of additional Deputy Collectors in an officiating or temporary capacity to take the place of absentees among the Commissioned staff; or to perform special duties in connection with land revenue settlements or the acquisition of land for railway purposes.

5. With regard to the enquiry as to the cadre of the Covenanted Civil Services in paragraph 3 of your letter, I am to refer you to statement II, which supplies the information required. In the memorandum explanatory of statement I, the offices actually occupied by members of the Covenanted Civil Service are shown by a distinguishing letter.

Information supplied by the Govt. of the N.-W. P. and Oudh.

STATEMENT I.

Province.	1	COVENANTED, INCLUDING MEMBERS OF COMMISSIONS.												UNCOVENANTED.										TOTAL.				Remarks.
		Executive.					Judicial.							Executive.				Judicial.				General							
		Government of India.		Administration.		Districts.				General.		Districts.		Sub-Divisional Officers.		Talsildars, &c.		High Court.		District Judges.		Sub-Judges, &c.		Officers other than those ordinarily held by Covenanted Civilians or Members of Commission.		Covenanted.		Uncovenanted.		Grand Total.		
						Headships of districts.		Sub-Divisional Officers.		High Court and Judicial Commissioners.		District Judges.		Assistant Judges, &c.															
	1	2		3		4		5		6		7		8		9		10		11		12		13		14		15		16		17		18		
		Nominal.	Actual.	Nominal.	Actual.	Nominal.	Actual.	Nominal.	Actual.	Nominal.	Actual.	Nominal.	Actual.	Nominal.	Actual.	Nominal.	Actual.	Nominal.	Actual.	Nominal.	Actual.	Nominal.	Actual.	Nominal.	Actual.	Nominal.	Actual.	Nominal.	Actual.	Nominal.	Actual.	Nominal.	Actual.	Nominal.	Actual.	
N.-W. Provinces and Oudh		31		22	22	49	49	123	66	4	4	22	22	2	1	11	11	108	132	217	217	2	2	1	1	126	126	7	31	264	206	461	509	725	715	

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Information supplied by the Govt. of the N.-W. P. and Oudh.

Memorandum explanatory of Statement I.

I.—Covenanted Staff (including Military Officers and Uncovenanted Officers occupying posts usually held by Covenanted Officers).

Column 2, "Under Government of India."

1 Chief Commissioner, Assam. (President, Finance Committee.)* (*c*)
2 Financial Member of Council. (*c*)
3 Commissioner, Central Provinces. (*c*)
4 Chief Commissioner, Central Provinces. (*c*)
5 Resident, Jeypore. (*c*)
6 Secretary, Revenue and Agricultural Department. (*c*)
7 Accountant General, Bengal. (*c*)
8 Deputy Commissioner, Central Provinces. (*c*)
9 Accountant General, Bombay. (*c*)
10 Accountant General, North-Western Provinces and Oudh. (*c*)
11 Commissioner, North India Salt Revenue. (*c*)
12 Judicial Commissioner, Central Provinces. (*c*)
13 Commissioner, Upper Burma. (*c*)
14 Secretary, Chief Commissioner, Assam. (*c*)
15 Settlement Officer, Ajmere. (*c*)
16 Accountant General, Punjab. (*c*)
17 Under-Secretary, Home Department. (*c*)
18 Secretary, Legislative Department. (*c*)
19 Director of Agriculture, Assam. (*c*)
20 Deputy Commissioner, Burma. (*c*)
21 Commissioner of Excise, Burma. (*c*)
22 Political Agent, Quetta. (*c*)
23 Political Agent, Central India. (*c*)
24 Settlement Commissioner, Central Provinces. (*c*)
25 Secretary, Chief Commissioner, Burma. (*c*)
26 Under-Secretary, Revenue and Agricultural Department. (*c*)
27 Assistant Director, Assam. (*c*)
28 Assistant Commissioner, Burma. (*c*)
29 Assistant Commissioner, Central Provinces. (*c*)
30 Judge Advocate. (*m*)
31 Agent, Balrampore Estate. (*m*)

*(*c*) Denotes Covenanted Civilians.
(*s*) „ Statutory Civil Service.
(*m*) „ Military Commissioned Officer.
(*u*) „ Uncovenanted.

Column 3, "Administration."

Nominal.	Actual.
1 Lieutenant-Governor.	1 Lieutenant-Governor. (*c*)
1 Chief Secretary.	1 Chief Secretary. (*c*)
1 Oudh, Revenue Department Secretary.	1 Oudh, Revenue Department Secretary. (*c*)
1 Financial Secretary.	1 Financial Secretary. (*c*)
3 Under-Secretaries.	3 Under-Secretaries. (*c*)
11 Commissioners.	11 Commissioners.
	8 „ (*c*)
	2 „ (*m*)
	1 „ (*u*)
2 Members of Board.	2 Members of Board. (*c*)
2 Secretaries to Board.	2 Secretaries to Board. (*c*)
22	22

Column 4, "Headships of Districts."

Nominal.	Actual.
22 Magistrates and Collectors, 1st grade.	22 Magistrates and Collectors, 1st grade. (*c*)
8 „ „ 2nd „	8 „ „ 2nd „ (*c*)
1 Superintendent, Dun.	1 Superintendent, Dun. (*c*)
2 Deputy Commissioners, 2nd class } Jhansi.	1 Deputy Commissioner, 2nd grade. (*c*) } Jhansi.
1 „ „ 3rd „	1 „ „ „ (*m*)
	1 „ „ 3rd grade. (*u*)
1 Superintendent, Tarai. } Kumaun.	1 Superintendent, Tarai. (*u*) } Kumaun.
1 Senior Assistant Commissioner, Kumaun.	1 Senior Assistant Commissioner, Kumaun. (*m*)
1 Senior Assistant Commissioner, Garhwal.	1 Senior Assistant Commissioner, Garhwal. (*m*)
4 Deputy Commissioners, 1st grade. } Oudh.	2 Deputy Commissioners, 1st grade. (*m*) } Oudh.
4 „ „ 2nd „	2 „ „ „ (*u*)
4 „ „ 3rd „	3 „ „ 2nd grade. (*m*)
	1 „ „ „ (*u*)
	3 „ „ 3rd grade. (*c*)
	1 „ „ „ (*m*)
49	49

Column 5, "Sub-Divisional Officers" (Covenanted).

NOMINAL.		ACTUAL.	
Joint-Magistrates, 1st grade, North-Western Provinces ...	18	18 Joint-Magistrates, 1st grade. (*c*)	
Assistant Commissioners, 1st grade, Oudh 6		8 Assistant Commissioners, 1st grade—	
" " Jhansi 2	8	Civilian 6	
		Military 1	
		Uncovenanted 1	8
Joint-Magistrates and Assistant Commissioners, 2nd grade, North-Western Provinces 15		24 Joint-Magistrates and Assistant Commissioners, 2nd grade—	
Ditto Oudh 6		Civilians 19	
Ditto Jhansi 2		Statutory Civilians 4	
Ditto Naini Tal 1	24	Uncovenanted 1	24
	50		
Officer in charge of Kassia	1	1 Officer in charge of Kassia. (*c*)	
Ditto Karwi	1	1 Ditto Kirwi. (*c*)	
Deputy Superintendent, Family Domains	1	1 Deputy Superintendent, Family Domains. (*c*)	
City Magistrate, Lucknow	1	1 City Magistrate, Lucknow. (*c*)	
	54	12 Cantonment Magistrates.* (*m*)	
Passed Assistant Magistrates and Assistant Commissioners, 3rd grade, including Kumaun	36		
Unpassed Assistant Magistrates and Assistant Commissioners	12		
Assistants not arrived yet	9		
Cantonment Magistrates	12		
	123		66

* These do not, strictly speaking, form part of the regular civil cadre of the Provinces, but they have been shown in this statement since they were included in the cadre return in Home Department's Resolution of 1831.

Column 6, "High Court and Judicial Commissioner."

NOMINAL.	ACTUAL.
1 Justice Oldfield. (*c*)	Same as nominal strength, all Civilians.
1 Justice Brodhurst. (*c*)	
1 Tyrrell. (*c*)	
1 Mr. Young, Judicial Commissioner. (*c*)	
4	4

Column 7, "District Judges."

NOMINAL.		ACTUAL.	
Judges, 1st grade	2	19 N.-W. P. Judges in all grades. (*c*)	
Do. 2nd do.	7	1 Oudh Judge, 1st grade. (*u*)	
Do. 3rd do.	10	1 " " 2nd " (*m*)	
Do. Oudh	3	1 " " 3rd " (*m*)	
	22		22

Column 8, "Assistant Judges, &c."

NOMINAL.	ACTUAL.
1 Sub-Judge, Oudh.	1 Sub-Judge, Oudh. (*m*)
1 Judge, Small Cause Court, Allahabad.	1 *
2	2

* Held by an Uncovenanted officer who is shewn in Column 14.

Column 9, "General."

NOMINAL.	ACTUAL.
1 Registrar, High Court.	Same as Nominal, all Civilians.
1 Commissioner of Excise and Stamps.	
1 Inspector-General of Police.	
1 Director of Agricultural and Commerce.	
4 Settlement Officers.	
1 Director of Public Instruction.	
1 Private Secretary.	
11 (*Sic.*)	11

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Information supplied by the Govt. of the N.-W. P. and Oudh.

II.—Uncovenanted Staff.

Column 10, "Uncovenanted Sub-Divisional Officers."

Nominal.		Actual.	
Deputy Collectors and Extra Assistant Commissioners—		Deputy Collectors and Extra Assistant Commissioners—	
7th Grade	3	7th Grade	1
6th do.	4	6th do.	4
5th do.	8	5th do.	7
4th do.	19	4th do.	18 *
3rd do.	29	3rd do.	24
2nd do.	26	2nd do.	22
1st do.	19	1st do.	15
		Offg. Deputy Collectors	41†
	108		132

* Three officers on short privilege leave have been included in this number, as no officers have been appointed to act for them.

† This includes officers officiating in place of Deputy Collectors absent on leave, and also an additional staff officiating Deputy Collectors entertained in place of absentees among the Commissioned Staff.

Column 11, "Tahsildars."

Nominal.		Actual.	
1st Grade	32	Tahsildars	215
2nd do.	47	Naib Tahsildars in charge	2
3rd do.	65		217
4th do.	71		
	215		
Naib Tahsildars in charge	2		
	217		

Column 12, "High Court (Uncovenanted)."

Nominal.	Actual.
1 Chief Justice.	Same as Nominal.
1 Justice Straight.	
2	2

Column 13, "District Judges."

Nominal.	Actual.
1 Mr. Mahmud.	1 Mr. Mahmud.

Column 14, "Sub-Judges and Munsifs."

Nominal.	Actual.
N.-W. Provinces.	*Same as Nominal.*
Sub-Judges, 1st Grade 4	(4 of the Nominal Staff are absent on leave or deputation, their places being supplied by officiating incumbents.)
Ditto 2nd do. 7	
Ditto 3rd do. 7	
Small Cause Court Judges 2	
Munsif, 1st grade 23	
Do. 2nd do. 23	
Do. 3rd do. 21	
Sudr Amins 2	
Oudh.	
Sub-Judges, 1st grade 2	
Ditto 2nd do. 3	
Ditto 3rd do. 6	
Small Cause Court Judge 1	
Munsif, 1st grade 6	
Do. 2nd do. 6	
Do. 3rd do. 13	
126	

Column 15, "General (other Miscellaneous Appointments) Uncovenanted."

Nominal.		Actual.	
1 Assistant Secretary to Board.		Those shown under Nominal . .	7
1 Superintendent, Government Press.		Deputy Collectors on Settlement duty .	11
1 Assistant Director of Agriculture.		Deputy Collectors on special duty, acquisition of land for Railway . . .	10
2 Deputy and Assistant Registrar, High Court.		Deputy Personal Assistant to Commissioner, Benares	1
1 Registrar Judicial Commissioner, Oudh.		Under Court of Wards . . .	2
1 Assistant Settlement Officer.			
7*			31

Information supplied by the Govt. of the N.-W. P. and Oudh.

* Police, Forests, Registration, Jails, Education, &c., have been omitted from this list.

Explanation of difference between the figures shown under the head of "Nominal" in Column 16 of this statement and those shown under the Provincial Staff in page 49 of the Civil List for October 1886.

Shown in this Statement		264
Deduct—		
11 Cantonment Magistrates (one Cantonment Magistrate out of 12 is included in the Oudh Commission).		
9 New Civilians not yet arrived.		
1 Name of Colonel Reade, who has been *seconded* in the Kumaun Commission as he is on deputation as Cantonment Magistrate .	21	
		243 No.
		Shown in the Civil List.

Statement II.

Covenanted Civilians in the North-Western Provinces and Oudh (exclusive of Statutory Civilians).

Total No. on list on 1st December 1886		211
Deduct—		
Employed under other Governments and Administrations .	29	
Lieutenant-Governor	1	
High Court Judges	3	
Officers not arrived yet	9	
	...	42
Balance left for general employment in the Provinces . . .		169
On leave, furlough and other	22	
Privilege	7	
		29
Present on duty		140

IV.

No. 89, dated Allahabad, the 5th January 1887.

From—The Secretary to the Public Service Commission,

To—The Chief Secretary to the Government of the N.-W. Provinces and Oudh.

Vol. II. Sec. I. Sub-Sec. B.

Information supplied by the Govt. of the N.-W. P. and Oudh.

I AM directed to request that, with the permission of His Honour the Lieutenant-Governor and Chief Commissioner, you will be good enough to favour the Public Service Commission with accurate statistics showing how many persons at present employed in the Subordinate Judicial Service and in the Subordinate Executive Service in the North-Western Provinces and Oudh have (1) passed the Entrance examination, (2) passed the First Arts or other corresponding examination, and (3) taken the degree of Bachelor or Master of Arts at an Indian University.

2. I am to explain that information is required for each class of appointments separately, and that the terms "Subordinate Judicial Service" and "Subordinate Executive Service" are intended to embrace respectively all Subordinate Executive and Judicial offices down to and including the office of Munsif or Tahsíldár, or other office corresponding to that of Munsif or Tahsíldár, which are not reserved for, or not ordinarily held by, members of the Covenanted Civil Service.

3. The favour of an early reply is requested.

Reply No. $\frac{1497}{11\text{-}592\text{-}155}$, dated Allahabad, the 28th March 1887.

From—The Chief Secretary to the Government of the N.-W. Provinces and Oudh,

To—The Secretary to the Public Service Commission.

IN reply to your No. 89, dated 5th January 1887, I am directed to forward two statements showing the number of officers in the Subordinate Judicial and Executive Services of the North-Western Provinces and Oudh who have passed University Examinations.

List showing the number of Officers of the Subordinate Executive Service in the North-Western Provinces and Oudh who have passed the University Examinations.

	Number of Officers who have passed the Entrance Examination.	Number of Officers who have passed the First Arts Examination.	Number of Officers who have taken their degree of B.A.	Number of Officers who have taken their degree of M.A.	REMARKS.
	Deputy Collectors and Extra Assistant Commissioners.				
North-Western Provinces and Oudh	18	6	6	3	
	Tahsíldárs.				
North-Western Provinces and Oudh	7	3	1	...	
TOTAL .	25	9	7	3	

List showing the number of Officers of the Subordinate Judicial Service in the North-Western Provinces and Oudh who have passed the University Examinations.

	Number of Officers who have passed the Entrance Examination.	Number of Officers who have passed the First Arts Examination.	Number of Officers who have taken their degree in B.A.	Number of Officers who have taken their degree in M.A.	REMARKS.
Subordinate Judges, North-Western Provinces and Oudh	2	...	2	...	
Munsifs, North-Western Provinces and Oudh . .	16	8	18	3 1*	* Oudh Government Pleader.
TOTAL .	18	8	20	4	

V.

No. 102, dated Bombay, the 22nd January 1887.

From—The Secretary to the Public Service Commission,

To—The Chief Secretary to the Government, of the N.-W. Provinces and Oudh.

Vol. II. Sec. I. Sub-Sec. B.

Information supplied by the Govt. of the N-W. P. and Oudh.

I AM directed to request that, with the permission of His Honour the Lieutenant-Governor and Chief Commissioner, you will be good enough to favour the Public Service Commission with a return in the annexed form showing the nationalities and castes of the several persons at present employed in the Subordinate Judicial Service and in the Subordinate Executive Service in the North-Western Provinces and Oudh.

2. I am to explain that the information is required for each class of appointments separately, and that the terms "Subordinate Judicial Service" and "Subordinate Executive Service" are intended to embrace respectively all Subordinate Executive and Judicial offices down to and including the office of Munsif or Tahsíldár, or other office corresponding to that of Munsif or Tahsíldár, which are not reserved for, or not ordinarily held by, members of the Covenanted Civil Service.

3. The favour of an early reply is requested.

Reply No. 1783—II-592-174, dated Allahabad, the 11th April 1887.

From—The Chief Secretary to the Government of the N.-W. Provinces and Oudh,

To—The Secretary to the Public Service Commission.

IN compliance with the request contained in your letter No. 102, dated the 22nd January last, I am directed to forward two statements showing the nationalities and castes of the several persons at present employed in the Subordinate Judicial Service and in the Subordinate Executive Service in these Provinces.

Statement shewing the nationalities and castes of the several persons at present employed in the North-Western Provinces and Oudh in the Subordinate Executive Service.

CLASS OF APPOINTMENT.	Europeans or Eurasians domiciled in India.	Europeans or Eurasians not domiciled in India at the time of appointment.	Muhammadans.	HINDUS.							Detail regarding persons included in the statement who are not natives of the Province.
				Brâhmins including Shenvis.	Kshatriyas.	Káyasths (Prabhus).	Banyás and Vysiás.	Shudrás.	Others.	Sikhs.	
Deputy Collectors and Extra Assistant Commissioners.											
North-Western Provinces	10	...	A 33	B 24	C 16	D 23	10	E 1	1	...	A. 1 native of Punjab. B. 1 Mahratta. 1 native of Punjab. 3 natives of Kashmir. 1 native of Central Provinces. 2 natives of Bengal. C. 1 native of Punjab. D. 1 native of Bengal. E. Native of Lower Provinces.
Kumaun . . .	1	2	...	2	...	...	...	...	...	...	
Oudh	6	...	F 18	G 6	3	4	...	...	...	H 1	F. 1 native of Punjab. G. 1 do. do. H. 1 do. do.
TOTAL .	17*	2	51	32	19	27	10	1	1	1	

* Includes Mr. Vaughan employed in settlement work.

Statement showing the nationalities and castes of the several persons at present employed in the North-Western Provinces and Oudh in the Subordinate Judicial Service.

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Information supplied by the Govt. of the N.-W. P. and Oudh.

Class of Appointment.	Europeans or Eurasians domiciled in India.	Europeans or Eurasians not domiciled in India at the time of appointment.	Muhammadans.	Hindus.							Detail regarding persons included in the statement who are not natives of the Province.
				Brâhmins including Shenvis.	Kshatriyas.	Káyasths (Prabhus).	Banyás and Vysiás.	Shudrás.	Others.	Sikhs.	
Tahsildars.											
North-Western Provinces	1	...	A 99	B 15	C 12	D 40	E 4	...	2	1	A. 1 native of Kabul. 2 natives of Punjab. 1 native of Dholepore. 2 natives of Bhartpore. B. 1 Mahratta. 3 natives of Kashmir. C. 1 native of Punjab. D. 1 native of Arrah (Bengal). 1 do. of Lower Provinces.
Kumaun . . .	...	...	...	3	2	...	...	...	...	...	E. 1 native of Punjab.
Oudh	...	...	23	F 6	1	G 16	...	...	...	...	F. 1 native of Punjab. G. 1 do. of Behar.
Total .	1	...	122	24	15	56	4	...	2	1	
Judges, Small Causes Court.											
North-Western Provinces	...	...	...	A 2	...	A 1	...	...	...	...	A. Natives of Bengal.
Oudh	...	...	...	...	...	...	B 1	...	...	...	B. Natives of North-Western Provinces.
Total .	...	...	...	2	...	1	1	...	...	...	
Subordinate Judges.											
North-Western Provinces	...	...	C 10	D 5	...	3	2	...	...	...	C. 1 Native of Delhi. D. 1 Bengali. 3 Kashmiris.
Oudh	1	...	E 5	F 5	...	G 1	...	...	...	...	E. 1 North-Western Provinces. 1 Punjab.
Total .	1	...	15	10	...	4	2	...	...	...	F. 1 North-Western Provinces. 1 Punjab. 1 Jeypur. 2 Bengal.
Munsifs.											G. 1 North-Western Provinces.
North-Western Provinces	...	...	H 34	I 11	2	16	J 8	...	1	(Native Christian.)	H. 1 Native of Delhi. 1 Of Patna. 1 Of Hughli.
Kumaun . . .	...	...	...	2	...	...	...	...	...		I. 5 Bengalis. 2 Kashmiris.
Oudh	...	...	K 13	L 8	1	3	...	...	...	...	J. 2 Natives of Delhi. K. 3 Of North-Western Provinces. 1 Of Punjab.
Total .	...	...	47	21	3	19	8	...	1	...	L. 1 Of Bengal. 2 Of Kashmir.

VI.

No. 131, dated Calcutta, the 7th March 1887.

From—The Secretary to the Public Service Commission,

To—The Chief Secretary to the Government of the N.-W. Provinces and Oudh.

Vol. II. Sec. I. Sub-Sec. B.

Information supplied by the Govt. of the N.-W. P. and Oudh.

I AM desired to request that, with the permission of His Honour the Lieutenant-Governor and Chief Commissioner, you will be good enough to furnish the Public Service Commission with information showing the extent to which encouragement is offered to Natives of the North-Western Provinces and Oudh, by means of Government scholarships or otherwise, to proceed to England for the purpose of completing their education. The Commission are aware of the fact that certain scholarships have been recently established for this purpose by the Government of India, but the present enquiry is made with a view to ascertain (1) whether any similar encouragement is offered by Local Governments and Administrations, and, if so, subject to what rules and conditions, and (2) to what extent advantage is taken of the same.

2. It would be convenient if you would be good enough at the same time to supply such information as may be available regarding scholarships, if any, which may have been established with a similar object in the North-Western Provinces and Oudh, but the cost of which is not borne by the State.

Reply No. $\frac{339}{III-857}$, dated Allahabad, the 1st April 1887.

From—The Secretary to the Government of the N.-W. Provinces and Oudh,

To—The Secretary to the Public Service Commission.

I AM directed to acknowledge the receipt of your letter No. 131, dated 7th March, requesting that the Public Service Commission may be furnished with information showing the extent to which encouragement is offered to Natives of the North-Western Provinces and Oudh, by means of Government scholarships or otherwise, to proceed to England for the purpose of completing their education.

2. In reply, I am to state that no such scholarships are awarded by this Government. Applications are however received for aid to candidates desirous of studying agriculture at Cirencester, and in two instances such aid has been given. Definite rules have been laid down for regulating grants-in-aid for special agricultural education, and I am to forward a copy of the Resolution* of this Government on the subject for the information of the Commission.

* No. 782—1-748, dated 26th May 1886.

3. In regard to scholarships the cost of which is not borne by the State, students of the Muhammadan Anglo-Oriental College at Aligarh who have gone to England to complete their education have, in some instances, continued to receive the scholarships they held while at the College, but the amounts were small and cannot fairly be said to have been given as an encouragement to go to England. None of the students of the College at present in England receive any scholarship.

No. $\frac{782}{1-748}$, dated Naini Tal, the 26th May 1886.

RESOLUTION—By the Chief Secretary to Government, North-Western Provinces and Oudh, Revenue Department.

READ—

A letter, No. 49G., dated 8th February 1886, from the Director of Agriculture and Commerce, North-Western Provinces and Oudh, submitting proposals as to the method of selecting candidates for education at the Royal Agricultural College, Cirencester.

OBSERVATIONS.—From time to time applications are received from societies and individuals soliciting assistance from the Government for candidates who are desirous of proceeding to England for the purpose of studying agriculture at the Royal Agricultural College, Cirencester, and in two instances such aid has been given. It may be anticipated that other applications will be made, and it therefore appeared advisable to lay down a definite mode of procedure in such cases, both as to the number of students to be aided by the Government and the method of selecting them. The Director of Agriculture and Commerce was accordingly requested to enter into consultation with the Director of Public Instruction for the purpose of drawing up definite rules to regulate the assignment by the Government of grants-in-aid for special agricultural education.

2. Mr. Smeaton has now submitted all the information he has been able to obtain, together with his proposals on the subject. These proposals, which have been generally approved by the

Information supplied by the Govt. of the N.-W. P. and Oudh.

Lieutenant-Governor and Chief Commissioner, are embodied in the following rules, which, having been sanctioned for the present, are now circulated for the information of Commissioners and District Officers :—

(1) The Government will undertake to pay one-half of a candidate's total expenses under all heads, including travelling expenditure to England and back, provided that its liability is limited to a maximum of Rs. 4,000. The remaining share of the expenses must, before the candidate leaves India for England, be deposited by him or his friends in the Government treasury, or be otherwise secured to the satisfaction of the Government. Periodical remittances will be made by the Government.

(2) Selection of a candidate will be made once in two years, not oftener.

(3) The selection of the candidate, for recommendation to the Government, shall rest with the Director of Public Instruction and the Director of Agriculture and Commerce, who shall be required to obtain medical testimony to the physical fitness of the nominee, and shall satisfy themselves of his good character, and fitness generally to be sent to England.

(4) The candidate must ordinarily have obtained the degree of B.A.; but an exception may be made in regard to this educational qualification on very special proof that the candidate possesses a good knowledge of the English language. Possession of the degree of B.A. in physical science will give a candidate a preferential claim to selection over all other graduate candidates.

(5) The selected candidate shall, before proceeding to England, work as an apprentice at the Cawnpore experimental station, or at a demonstration farm, for ten months, from June to April, *i.e.*, through both the kharif and rabi seasons.

(6) It must be clearly understood that education at the Royal Agricultural College, Cirencester, does not constitute a claim to Government service in India, and that the Government does not guarantee employment under itself to students assisted under these rules; also that the rules are liable to be varied hereafter.

ORDER.—Ordered, that a copy of this Resolution be forwarded to the Director of Agriculture and Commerce and the Director of Public Instruction, and to all Commissioners and District Officers in the North-Western Provinces and Oudh.

VII.

No. 133, dated Calcutta, the 10th March 1887.

From—F. C. DAUKES, Esq., C.S., Secretary to the Public Service Commission,

To—The Chief Secretary to the Government of the N.-W. Provinces and Oudh.

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Information supplied by the Govt. of the N.-W. P. and Oudh.

WITH reference to the reply given by the Government of the North-Western Provinces and Oudh to No. 232* of the questions circulated with my letter No. 19, dated 30th November 1886, I am directed by the Public Service Commission to forward a copy of the reply to this question, which has been received from the Punjab Government, and to request that the answer for the North-Western Provinces and Oudh may, with the permission of His Honour the Lieutenant-Governor and Chief Commissioner, be amplified in the manner adopted in the case of the Punjab. I am at the same time to request that the answer to the question may be framed on the assumption that appointments will no longer be made to the Covenanted grades, under the Statutory Rules or in any other way except through the channel of the competition in England, save in very exceptional cases, and that the present system whereby a proportion of appointments in the Covenanted Service is practically reserved for Natives of India by the rules issued under the Statute 33 Vic., Cap. 3, is discontinued.

* To what extent could the prescribed Covenanted Civil Service cadre in your Province be reduced if a corresponding increase were made in the English element of the Uncovenanted Service, or in the Native element, or partly in one or partly in the other?

2. As this question has a particularly important bearing upon the enquiries of the Public Service Commission, it is hoped that the reply thereto may be very carefully prepared.

Answer to the Question asked in letter No. 133, dated 10th March 1887, from the Secretary, Public Service Commission.

1. The sanctioned strength of the Civil Service in the North-Western Provinces and Oudh is that prescribed by the Government of India (Financial) Resolution No. 2223, dated 29th December 1881.

2. This strength and the annual recruitment necessary to maintain it were determined on the principle of ascertaining the actual number of posts for which Covenanted Officers were required (including in this designation such Military and Uncovenanted Officers as might, under the rules in force in the Province, be appointed to posts ordinarily reserved for Civilians), and of adding to the *cadre* thus ascertained a certain percentage to allow for absentees on leave and officers in training. In thus drawing the line between posts which required to be officered by a superior Civil Service and posts which might be filled by a subordinate local or "Uncovenanted" Service, the Government of India recognized "the obligation to maintain a proportion between the Covenanted and Uncovenanted Officers sufficient to insure that the former will leaven the whole very large body and keep up a high tone of morality and efficiency throughout the whole public service." The superior service was to be a *corps d'élite*, and, as such, should be strong enough to leaven the whole mass. The strength determined for it in 1881 was said to be only just sufficient to fulfil these requisites. "Large reductions," the Government of India stated, "have already been effected, and His Excellency in Council is of opinion that a lower staff would be incompatible with the maintenance of a high tone of efficiency throughout all ranks of the administration."

3. The *cadre* assigned to the North-Western Provinces and Oudh comprised 169 "Covenanted" posts with a reserve of 64 officers:—

(1) Administration	21
(2) Heads of Districts	49
(3) High Court and Judicial Commissioner	4
(4) District Judges and the like	22
(5) Assistant Judges and the like	3
(6) Sub-Divisional Officers and the like	48
(7) Miscellaneous appointments	8
(8) For employment under the Government of India or deputed to other Provinces	14
	169
Add for—	
On leave, at 27·39 per cent. on *cadre*	46
In training, at 10·58 per cent.	18
TOTAL	233

4. In the first five sub-divisions of the *cadre*, the number of posts is necessarily constant, or very nearly so. Since the scale was fixed in 1881 the posts under head (1) "*Administration*" have increased from 21 to 22.* *Head* (2), "*Heads of districts*," remains unaltered, as there are still 49 districts in the Provinces. *Head* (3), "*High Court and Judicial Commissioner*," is at present

* For details under heads (1), (7), and (8), see foot-note.

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susceptible of a decrease of one, owing to the appointment of a Native of India to the High Court. The Judicial Commissioner of Oudh and two of the five Judges of the High Court are Civilians. *Head* (4) remains unaltered: 22 officers of the provincial staff at present fill the 19 Civil and Sessions Judgeships into which the North-Western Provinces is divided, and three of the four Oudh Judgeships. The fourth Civil Judgeship of Oudh continues to be held, as in 1881, by a Native of India. *Head* (5) might be reduced by two, as only one of the Small Cause Court Judgeships in the Province is at present held by a Covenanted Officer. *Heads* (6), (7), and (8) give an average scale based on the figures of former years. Thus the number of officers provided under head (6) allows an average of one assistant to 48 out of the 49 districts in the Provinces. This is by no means an excessive provision. If in some of the smaller districts a Covenanted Assistant can be dispensed with, some of the larger districts require two. Under *head* (7) eight officers are provided for "*Miscellaneous appointments*," such as headships of departments, settlement work, and the like. On an average more than this number are actually so employed. *Head* (8) adds to the Provincial force 14 officers for employment under the Government of India or in other Provinces. For some time back the number of officers so employed out of the Province has considerably exceeded this number. But it has only been possible to spare them on account of the over-recruitment in the past of the Civil Service of the Provinces. Now that the annual number of recruits has been restricted, the actual strength of the provincial service is rapidly sinking to the normal *cadre* strength, as settled in 1881, and the absence of any officers in excess of 14 will in future seriously inconvenience the local administration. It seems likely that at least 14 officers will be required for service out of the Province. The estimate under *head* (8) therefore admits of no reduction:—

Administration (Head 1).	*Government of India* (Head 8).	*General* (Head 7).
Lieutenant-Governor.	1.—Chief Commissioner, Assam.	1.—Registrar, High Court.
3 Secretaries.	2.—Financial Member of Council.	2.—Commissioner, Excise and Stamps.
3 Under-Secretaries.	3.—Commissioner, Central Provinces.	3.—Inspector-General of Police.
11 Commissioners of Divisions.	4.—Resident, Jeypur.	4.—Director of Agriculture and Commerce.
2 Members of Board of Revenue.	5.—Secretary, Government of India, in Revenue Department.	5.—Deputy Director of Agriculture and Commerce.
2 Secretaries to Board.	6.—Accountant General, Bengal.	6.—Settlement Officer, Basti.
22	7.—Chief Commissioner, Central Provinces.	7.—Settlement Officer, Gorakhpur.
	8.—Deputy Commissioner, Central Provinces.	8.—Settlement Officer, Bulandshahr.
	9.—Accountant General, Bombay.	9.—Assistant Settlement Officer, Basti.
	10.—Accountant General, North-Western Provinces and Oudh.	10.—Director of Public Instruction.
	11.—Commissioner, North India Salt Revenue.	11.—Private Secretary to Lieutenant-Governor.
	12.—Judicial Commissioner, Central Provinces.	
	13.—Commissioner, Upper Burma.	
	14.—Secretary, Chief Commissioner, Assam.	
	15.—Settlement Officer, Ajmir.	
	16.—Accountant General, Punjab.	
	17.—Secretary to the Public Service Commission.	
	18.—Secretary, Legislative Department.	
	19.—Director of Agriculture, Assam.	
	20.—Deputy Commissioner, Burma.	
	21.—Commissioner of Excise, Burma.	
	22.—Political Agent, Quetta.	
	23.—Political Agent, Central India.	
	24.—Settlement Commissioner, Central Provinces.	
	25.—Secretary, Chief Commissioner, Burma.	
	26.—Under-Secretary, Home Department.	
	27.—Assistant Director, Assam.	
	28.—Assistant Commissioner, Burma.	
	29.—Assistant Commissioner, Central Provinces.	
	30.—Judge Advocate.	
	31.—Agent, Balrampur Estate.	

N.B.—These details are taken from the Civil List corrected up to the 1st December 1886.

5. The general conclusion therefore is that so long as the posts specified by the Government of India in 1881 continued to be reserved for the superior Civil Service, the sanctioned strength of 235 officers, all told, is not more than is required to fill them.

6. The question originally asked by the Public Service Commission (232) was to what extent could the prescribed Covenanted Civil Service *cadre* be reduced if a corresponding increase were made in the English element of the Uncovenanted Service, or in the Native element, or partly in one, or partly in the other?

7. Before answering this question it is necessary to point out that the sanctioned staff for filling the present Civil Service *cadre* offices will ultimately, under the operation of the Statutory rules, consist of 194 Covenanted Civilians and 39 Statutory Civilians. As long as these rules are maintained, the possibility of removing any offices from the Civil Service *cadre* to that of the subordinate service is not open to discussion, because most, if not all, of the offices which would most probably be selected would ordinarily go to Statutory Civilians.

8. The North-Western Provinces Government is now, however, requested to reply to this question upon the assumption that "appointments will no longer be made to the Covenanted grades under the Statutory rules or in any other way except through the

Information supplied by the Govt. of the N.-W. P. and Oudh.

channel of the competition in England, save in very exceptional cases, and that the present system whereby a proportion of appointments in the Covenanted Service is practically reserved for Natives of India by the rules issued under the Statute 33 Victoria, Cap. 3, is discontinued." It may be calculated that, if the present system were continued, not less than twenty of the superior offices in the *cadre* would ultimately be held by persons appointed under that system; and the Commission ask, in fact, to what extent the vacuum thus to be created could be filled up in the manner suggested by the original question.

9. Under the Statutory rules one Native of India is appointed to a post in the Civil service to every five Covenanted Civilians recruited in England. The rules in their revised form enable the Government to select its Native Civilians from the Uncovenanted ranks, from the Bar, and generally from among men who promise well or who have given proof of merit and ability. Nor do the rules except any office or class of offices from those for which Native Civilians thus selected are eligible or to which they may be appointed either immediately or after a sufficient term of training and probation. If these real and important privileges are extinguished, it will unquestionably be necessary to make some other provision for maintaining the proper complement of superior officers; and this might be effected, no doubt, by the device of setting aside from the superior *cadre* a certain number of posts to be manned, under some new system, by persons appointed in India. The posts thus set aside would in fact numerically correspond with the superior appointments which would *ultimately* have been held by Statutory Civilians had the rules been maintained. As of the 39 Statutory Civilians in the Civil Service ranks not more than twenty would at any time be actually in occupation of *cadre* offices, this reduction of the *cadre* would throw open not more than 20 offices to be provided for from some other sources. If the conditions of the open competition in England are modified so as to admit Natives of India in larger numbers into the Covenanted Civil Service, it might be undesirable to allot all these reserved offices to Natives of India and Englishmen might occasionally hold some of them. Some allowance, also, would have to be made for appointments made "in very exceptional cases."

10. The problem set for discussion by the original question is, therefore, to what extent the reduction that would be caused by abolishing the present system of appointment under the Statute can be compensated by increasing either the English or the Native element of the Uncovenanted Service: and if the answer is to be amplified in the manner adopted by the Punjab Government, a specification of the particular offices to be assigned is evidently required. The answer of the Punjab Government adopts the classification of offices framed by the Government of India for inclusion in the *corps d'élite*, and it proceeds to eliminate certain classes as those in which Natives cannot at present be employed with advantage. But it may be observed, in the first place, that the question is not so much whether Natives can at present be employed in certain offices, as whether they should be permanently excluded from a very large proportion of the *cadre* offices, unless they have entered the service by the channel of competition in England, or unless the cases are very exceptional. And it seems *primâ facie* undesirable and premature to place on the excluded lists such offices, for example, as the headship of districts, or to lay down the principle that no Under-Secretaryship can be held by an Uncovenanted European or Native, while he is eligible for the highest judicial appointments. Such a distribution of civil offices would be criticized as having no better foundation than arbitrary and ephemeral distinctions.

11. There are various appointments on the excluded list of the Punjab which are ordinarily best filled by Covenanted Civilians, but which might possibly be equally well filled by a Native of India. And there are other appointments, not specifically excluded, for which it might be exceedingly difficult to find a qualified Native; while the lapse of time and the gradual change of circumstances are likely to affect materially the existing considerations upon which Natives are now thought fit or unfit for particular kinds of employ. Moreover, whereas under the present Statutory rules a Local Government is under no necessity of appointing a Native or Uncovenanted European to any specific office unless he is clearly qualified for the duties, the system of classified appointments would compel the authorities to find a fixed number of superior offices for men of the Uncovenanted Service, and to find also in the Uncovenanted Service qualified men for all these offices as they from time to time fall vacant. The Lieutenant-Governor is obliged to record his opinion that the plan of providing a specific list of offices is surrounded by difficulties and exposed to serious practical objections.

12. In the foregoing remarks the discussion has been confined to the question of counterbalancing a reduction in the superior Civil Service by an increase of the Uncovenanted element. But it will have been noticed that the answer of the Punjab Government enlarges the terms of the question as originally stated, for the increase is not to be drawn from the Uncovenanted Service only. The present superior *cadre*, it is said, "can perhaps be ultimately reduced" by certain posts mentioned, "provided such posts could be efficiently officered from the Uncovenanted Service or other effective agency." "Nor would," it is added, "the general efficiency of the administration be injuriously affected, provided care is taken to give the appointments only to men of proved merit and ability whose practical efficiency is established beyond question." How these posts are to be manned in the event

Information supplied by the Govt. of the N.-W. P. and Oudh.

of unquestionably fit persons belonging to the class for which they were intended not being forthcoming when required, is a point which needs to be kept in mind; for there would be no Covenanted reserve to fall back upon. And it would be contrary to all experience if great disappointment were not felt and expressed by the Uncovenanted Service whenever any of the specified appointments were withheld from them and given to Covenanted Civilians on the ground of the Government's inability to find a properly qualified Uncovenanted officer. Nevertheless, the strict safeguard established by this comprehensive proviso enables the Lieutenant-Governor to reply that it may be possible to transfer some twenty appointments from the Covenanted Civil Service *cadre* if unquestionably fit persons can be found to supply their places; and, indeed, since the assumption is that no more appointments are to be made under the present Statutory rules, it is evidently necessary to devise some other effective system for replacing them. But the difficulty of specifying beforehand the offices to be allotted to the Uncovenanted Service is so great, that the Lieutenant-Governor would very much prefer to reserve this point until it shall have been decided whether the principle of the scheme suggested by question No. 232 has been definitely accepted and will be brought into operation, and whether the specified appointments are to be made from the Uncovenanted Service only, or from the much wider range of selection proposed by the Punjab Government.

13. If, indeed, the offices to be transferred from the present Covenanted *cadre* may be filled up, as the Punjab Government appears to contemplate, not only from the graded Uncovenanted Service but also from any other effective agency, or from the professional classes, the business of finding fit men for appointments, when they become available, will be much simplified. In the North-Western Provinces some appointments have already been made from these classes under the existing Statutory rules, in addition to a certain number of selected young men who enter at the bottom of the superior *cadre*, and are thus trained for higher offices. And the Lieutenant-Governor some time ago recorded in a Minute* his opinion that the Uncovenanted Service and the professions should be amply represented in the nominations made under the Statute. The chief differences in that case between the system now actually followed and that at which the question of the Commission seems to point, would be these :—In the first place, whereas the local authorities can now, under certain rules, appoint a Native of India to any office in the whole *cadre* according to his special experience or aptitude, and according to the convenience or exigencies of the public service, under the proposed system he must be appointed to one out of a few offices specified and scheduled beforehand. In the second place, whereas the Government of India now determines annually what number of vacancies can be assigned under the Statutory rules, under the proposed system appointments can be made only when offices in the specified list fall vacant; and in such a very short list of good appointments, not graded or leading up one to another, the vacancies are likely to come at long intervals. In the third place, whereas all the appointments must now be given to a Native of India, under the proposed system they would be thrown open to "all qualified subjects of Her Majesty," and a strong infusion of the European element appears to be contemplated.

14. The reply, therefore, to the question as originally stated by the Public Service Commission is that if no appointments are in future to be made to the Covenanted grades under the Statutory rules (save in very exceptional cases), there will necessarily be a reduction in the existing Civil Service *cadre* of about twenty offices. If the corresponding increase is to be made according to the exact terms of the question from the graded Uncovenanted Service only, it would not be safe to allot more than twelve or at most fifteen places to that service, having regard to the difficulty of obtaining a sufficient number as fully qualified men and to the permanent necessity of maintaining the present high standard of efficiency and integrity in the superior service.

15. But upon the provisoes stipulated in the answer from the Punjab Government, it would be possible to fill up the twenty offices reduced by drawing offices from the Uncovenanted Service or from the professional classes or from some other effective agency—in other words, from exactly the same sources as those we can and do now draw upon under the existing Statutes, especially under the rules framed for giving effect to 33 Victoria, Cap. 3.

16. So far as Natives of India are concerned, this system might, if it were thought an improvement, be introduced under the Statute of 33 Victoria by a modification of the existing rules. The specification beforehand of the precise offices to be set apart, and the placing of these offices on a separate list, as proposed by the Punjab Government, is a material difficulty, and upon political as well as administrative grounds the opinion of the North-West Provinces Government is adverse to the plan. The provision in the latest

* See Minute, dated 10th July 1884, paragraph 9, page 216, Vol. I, Collection of papers relating to the appointment of Natives of India to the Civil Service. In the second line of that paragraph for the word *distant* read *distinct*.

Information supplied by the Govt. of the N.-W. P. and Oudh.

draft rules, proposed by the Government of India, that the office is to be specified at the time when the nomination is made, appears more in accordance with common sense and the ordinary usage of all administrations, whenever appointments are made by selection from the best men of all classes in the community, not from a close service. But this specification of a list and the introduction of the English Uncovenanted element seem to be the only substantial differences between the proposed system as amplified in the answer from the Punjab Government and the system that is already authorized and is being gradually introduced in these Provinces under the present Statutory rules. There can be little doubt that the system contemplated by the latest draft rules would be much more advantageous to the Natives of India, and would give them more facilities for employment in Her Majesty's Civil Service, than the institution of a small reserved list of offices intermediate between the Covenanted and Uncovenanted *cadres* and open to all qualified subjects of Her Majesty.

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PROCEEDINGS

OF

THE PUBLIC SERVICE COMMISSION.

(SITTINGS AT ALLAHABAD.)

NAMES OF MEMBERS PRESENT.

29th December, 1886.

1. The Hon'ble Sir C. U. AITCHISON, K.C.S.I., C.I.E., President.
2. Sir CHARLES TURNER, KT., C.I.E.
3. C. H. T. CROSTHWAITE, Esq., C.S.
4. The Hon'ble ROMESH CHUNDER MITTER, B.L.
5. The Hon'ble J. W. QUINTON, C.S.
6. F. B. PEACOCK, Esq., C.S.
7. H. J. STOKES, Esq., C.S.
8. T. H. STEWART, Esq., C.S.
9. The Hon'ble Syad AHMED, Khan Bahadur, C.S.I.
10. The Hon'ble Kazi SHAHABUDDIN, Khan Bahadur, C.I.E.
11. M. R. Ry. SALEM RAMASWAMI MUDALIYAR, B.L.
12. W. H. RYLAND, Esq.
13. Rao Bahadur KRISHNAJI LUKSHMAN NULKAR.
14. D. S. WHITE, Esq.

30th December, 1886.

Same as on 29th December.

31st December, 1886.

Same as on 29th December, with the exception of Mr. Ryland.

3rd January, 1887.

1. The Hon'ble Sir C. U. AITCHISON, K.C.S.I., C.I.E., President.
2. Sir CHARLES TURNER, KT., C.I.E.
3. C. H. T. CROSTHWAITE, Esq., C.S.
4. The Hon'ble ROMESH CHUNDER MITTER, B.L.
5. The Hon'ble J. W. QUINTON, C.S.
6. H. J. STOKES, Esq., C.S.
7. T. H. STEWART, Esq., C.S.
8. Hon'ble Syad AHMED, Khan Bahadur, C.S.I.
9. The Hon'ble Kazi SHAHABUDDIN, Khan Bahadur, C.I.E.
10. M. R. Ry. SALEM RAMASWAMI MUDALIYAR, B.L.
11. Rao Bahadur KRISHNAJI LUKSHMAN NULKAR.
12. D. S. WHITE, Esq.

4th January, 1887.

Same as on 3rd, with the addition of Messrs. F. B. Peacock and W. H. Ryland.

NAMES OF MEMBERS PRESENT.—(*Continued.*)

5th January, 1887.

Same as on 4th January, 1887.

6th January, 1887.

(Sub-Committee left for Bombay.)

NAMES.

T. H. STEWART, Esq., C.S.
The Hon'ble Kazi SHAHABUDDIN, Khan Bahadur, C.I.E.
M. R. Ry. SALEM RAMASWAMI MUDALIYAR, B.L.

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1. The Hon'ble Sir C. U. AITCHISON, K.C.S.I., C.I.E., President.
2. Sir CHARLES TURNER, KT., C.I.E.
3. C. H. T. CROSTHWAITE, Esq., C.S.
4. The Hon'ble ROMESH CHUNDER MITTER, B.L.
5. The Hon'ble J. W. QUINTON, C.S.
6. F. B. PEACOCK, Esq., C.S.
7. H. J. STOKES, Esq., C.S.
8. The Hon'ble Syad AHMED, Khan Bahadur, C.S.I.
9. W. H. RYLAND, Esq.
10. Rao Bahadur KRISHNAJI LUKSHMAN NULKAR.
11. D. S. WHITE, Esq.

7th January, 1887.

Same as on 6th January, 1887.

8th January, 1887.

1. Sir CHARLES TURNER, KT., C.I.E., President.
2. C. H. T. CROSTHWAITE, Esq., C.S.
3. The Hon'ble ROMESH CHUNDER MITTER, B.L.
4. The Hon'ble J. W. QUINTON, C.S.
5. F. B. PEACOCK, Esq., C.S.
6. H. J. STOKES, Esq., C.S.
7. W. H. RYLAND, Esq.
8. Rao Bahadur KRISHNAJI LUKSHMAN NULKAR.
9. D. S. WHITE, Esq.

PROCEEDINGS

OF THE

PUBLIC SERVICE COMMISSION.

VOLUME II.—PROCEEDINGS RELATING TO THE NORTH-WESTERN PROVINCES AND OUDH.

SECTION II.—Minutes of Evidence taken in the North-Western Provinces and Oudh.

SITTINGS AT ALLAHABAD.

WITNESS I.—*27th December 1886.*

(Examined by the Sub-Committee, consisting of the Hon'ble Mr. *Quinton*, the Hon'ble Syad *Ahmed*, Khan Bahadur, and Mr. *Stewart*.)

Examination of Syad HABIBULLAH, Barrister-at-Law, practising in the High Court of the North-Western Provinces.

*SYAD HABIBULLAH, a Barrister of the High Court of the North-West Provinces, said he was educated at the Mahomedan College, Aligarh, went to England at eighteen years of age, was entered at Baliol College, Oxford, where he was for four terms. Regarding the rules of the Statutory Service, he stated he had some remarks to make upon the words "of proved merit and ability" in section 6 of the Statute. This was a very wide expression. He did not object to the words and would let them remain, but held that there ought to be nomination and competition at the same time. The present system was open to objection because persons so nominated had no competitive examination to pass, and he would combine both. His system was (1) for every candidate to send up their applications to the local Government stating their qualifications; that Government should then make local inquiries as to the applicant, as to his respectability and character, and the Lieutenant-Governor select from these candidates those for nomination. The principles on which they should be selected were: qualifications and education, respectability of birth, and personal respectability of the candidate himself. A competitive examination should then be held of the candidates so nominated. The further definition of clause 6 was in effect to exclude all Europeans not born in India, not domiciled in India, or born of parents not habitually resident in India, and he would not extend that clause to include these classes, or the Natives of Feudatory States: *i.e.*, he would exclude all such Natives as were not subjects of Her Majesty. He would have the provision as to the sanction of the Government of India retained in its present form. He would also make it compulsory for selected candidates to go to England after their nomination; he would have them go through the same training as candidates who have passed a competitive examination in England. On these lines he would have a Statutory Civil Service. In respect to religious and caste prejudices as to Natives going to England, it was, he thought, high time these prejudices were thrown off. It was their duty to know English life well. They could not do so unless they went and saw English life, its education and civilisation. The witness himself had not suffered in the estimation of his co-religionists by going to England, and he had married into a Mahomedan family on his return. He did not consider he had lost touch with his fellow Mahomedans. Professionally, he thought, it was of advantage, as his countryman would, he fancied, prefer engaging him to a man who had not been to England and had an English training. He did not think it had lessened his influence socially with his countryman either. Going to England, he said, would be a distinct advantage. He knew two or three Statutory Civilians personally, and was certain if they had the same experience they would be up to the average of the best men in the Uncovenanted Service.

With regard to the present mode of recruiting for the Covenanted Civil Service by competition in England, he would make some changes: first, as to age, and, secondly, as to the subjects. The age limit ought to be higher. The present limit places Natives at a great disadvantage. He would have it from sventeen to twenty-three years. It was impossible for any Natives to read up with knowledge and get the prescribed number of marks in some of the subjects within the present limit. Languages, for instance. There were Latin and Greek—English boys were grounded in these at an early age in school, and by 13 were into the modern languages prescribed—French, German, Italian. With a Native, Arabic and Sanskrit were not taught at such an age, and at 15 a Native lad only knew one language where the

* Report taken from the *Pioneer*.

Syad *Habibullah.*

English boy knew several. In a few years, therefore, the Native lad had to learn and know these languages in order to pass the test. Natives consequently required a longer time to prepare in these subjects. The subjects, too, he thought, were disadvantageous to native candidates. It was difficult for them to read up classics and modern languages, and he failed to see these were essential. Latin and Greek, he considered, were absolutely useless except in so far as enabling the Native of India to understand the English language itself better. Latin, however, he did not object to so much as Greek. English, he thought, should be of a higher standard, and he would have History, Logic, Political Economy, Mathematics, Persian, Arabic, Sanskrit and Latin. Persian he would have added to the list of modern languages with the same number of marks. His opinion clearly was that Natives labored under disadvantages in respect of both age and subjects. As to examination, the witness said he would only have one examination, and that in England. He would have no examination in India, because the result would practically be to favour a class. If every one were admitted in an examination in India, neither Mahomedans nor Hindus would succeed, but only Bengalis who would get all. On these grounds he was adverse to an examination in India. At the same time he said he would give no assistance to Natives to go to England in order to pass. The two Native gentlemen he knew who had passed in England under the present rules were, as regards character and capacity, as good men as Government was likely to get under that system. In reply to a question from Mr. Stewart, the witness said that the Statutory Civil Service should be provincial, not confined to castes and creeds; nor should the number of appointments be regulated according to creeds. With regard to the Uncovenanted Service, the witness said that the present system was a good one as far as he could see, and he would make no change in the system of appointing. He was in favor of these appointments being open to the members of the Bar as at present. Summing up broadly, in conclusion, he said he would retain the Statutory Civil Service in its present form along with competitions in England, raising of the age, and with an alteration of the subjects. He would make no difference in the pay of a Statutory Civilian and of a man appointed in England. He would insist upon all candidates going to England. His principle was that the man who did the same work should get the same pay. In answer to a question as to whether he thought some advantage ought not to be given to those who went to England, the witness replied that it was no trouble to those who wanted to go. Of that he was sure.

WITNESS II.—*27th December 1886.*

Examination of Kuwar SHIVANATH SINHA, Barrister-at-Law, practising in the High Court, North-Western Provinces and Oudh. Kuwar *Shivanath Sinha.*

(Examined by the Sub-Committee.)

*Kuwar SHIVANATH SINHA, a member of the Allahabad Bar, said he went to England at eighteen years of age, was educated up to the Entrance class at the Bareilly College, and then went to England, where he was called to the Bar in the usual course. His father was the Raja of Tejpur, and his brother a member of the Statutory, Service. He did not, he said, agree generally, with the first witness. As to the Statutory Service, he did not think high birth a *sine quâ non*. Government was given the power to make appointments from men "of proved merit and ability," but the rules, he thought, did not carry that out. They gave a wide discretion, which did not result in the bestowal of appointments as the reward of past services. Let the Statute stand as it was to nominate people of proved merit and ability, but to nominate them sparingly from the Uncovenanted Service and the professional classes. As to the Covenanted Service he said he would raise the age and alter the subjects. Regarding age, that should be from seventeen to twenty-two years. The limit should be raised to twenty-two at least, the reason being that Natives of this country could not compete with Englishmen in certain subjects. He was in favor of raising the marks for Oriental languages and for Indian students here, substituting Sanskrit and Arabic for Latin and Greek. He would not, however, add Persian to the list of modern languages. He thought the examination should be held both in India and England on the same principle. He meant exactly the same kind of examination, and saw no practical difficulty in doing so concurrently. He thought that any difficulty about the transmission of papers to avoid being tampered with could be got over, and as to *viva voce* examinations, the same questions could be asked here by the Professors as in England. He would make one list of the candidates and not separate, and allow the examination to be open to all. Those Natives of India who might desire to go to England, however, might. The witness did not think that by going to England a Hindu gentleman lost touch with the educated classes. Possibly for the first year or so he would with the ignorant. The existence of any feeling of this kind was not strong enough to deter Indians from going to England. In fact, as a member of the Indian Association and a delegate, he had received applications for assistance to go; the obligation of going to England would not, he thought, keep good men out. As to the Uncovenanted Service, he thought with regard to the mode of recruitment a competitive examination should be thrown open to everybody, *i.e.*, to every Native of the Provinces. A few questions were asked as to furlough and pay, the witness's opinion being that a difference should be made for those who passed their examination in England.

* Report taken from the *Pioneer*.

WITNESS III.—*29th December 1886.*

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W. C. Benett, Esq.

Examination of W. C. BENETT, Esq., of the Covenanted Civil Service, Secretary to Government North-Western Provinces and Oudh.

The Hon'ble Mr. *Quinton.*

1. You are a member of the Civil Service?—Yes.

2. Of what standing?—Nineteen years.

3. What appointments have you held?—I have been Assistant Settlement Officer and Settlement Officer.

4. How long were you Settlement Officer?—I was in the Settlement Department altogether about five years. I was Manager of Encumbered Estates for three years; Director of Agriculture and Commerce for three years; Secretary to the Board of Revenue for a year and half; and am now Secretary to Government.

The *President.*

5. Have you studied the question as to the admission of Natives to covenanted posts under Government?—I have considered it throughout my career.

6. Does the present mode of appointment meet with your approval?—Generally yes; but I do not think the Statutory Civil Service is generally approved.

7. Why?—The reason, it seems to me, is that the men appointed have given no test of their merit or ability before they were appointed. Any young man of the age of twenty-three or twenty-four appointed by the Government to the Civil Service, is likely to be viewed with suspicion.

8. Is there any dissatisfaction felt with the Statute as such, apart from the Rules?—No; I do not think so.

9. Do you yourself approve of the system?—No.

10. What do you object to? That a man is appointed without proof of merit or ability?—I believe that to be the ground of the general objection.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

11. Statutory Civilians are appointed as Civilians. Do they hold their ground with Covenanted Civilians?—I hardly know how to answer. I think they do. We have no great caste feeling of the sort in these Provinces.

12. You say that the system is not liked. Is it one of the objections that they are generally appointed through interest?—I do not think so: not from what I have heard. I have never heard that objection raised, not by educated Natives. I mean by the well advanced classes,—those who aspire to the higher appointments under Government. I never heard a Native suggest any other method of selection.

The *President.*

13. Has the present Statutory system secured efficient men of the high class we wish to have?—I think not. I do not think the appointment of anybody, Europeans or Natives, to posts like those held by the Covenanted Service, ought to be made on any other ground but proved merit or ability; that is, it should not be made till a man is over thirty years old, and has done service, either as a public servant or in some profession. I should appoint young men of good qualification, family and character to the Uncovenanted Civil Service in the first instance; and I should increase the number of appointments open to the Uncovenanted Civil Service very considerably. Tahsildars and Munsiffs are the lowest grades of the Uncovenanted Service referred to in this answer.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

14. Commencing, say, from Rs. 125?—I should think ordinarily they should to appointed as Deputy Collectors on about Rs. 200 a month.

Mr. *Stewart.*

15. Would you require the man of proved merit and ability to go to England at once or some years after his appointment?—I have said I would appoint no man except of merit and ability. I do not think you can get proof of merit and ability without practical working in life, and I think it would not be possible to require a man who had proved merit and ability in this way to go to England.

16. For the higher posts, do you not think he should go to England? It would no doubt be a very good thing, but I do not think it is necessary to give encouragement.

17. Do you think under the Statutory system you get better men than were available for the Uncovenanted Service before?—No; I do not think so.

18. In no way?—I do not think so.

19. I understood you to say, that you approve of the Statutory Service?—No; I do not approve of it. I do not approve of a system, never heard of in any other part of the world, of giving high appointments to young men of twenty-five.

20. That is only an accident of the rule of the Statute under which the Statutory system is carried out. It gives power to appoint Natives to posts reserved hitherto for Covenanted men. Do you object to it?—No; not at all. I approve of the Statute, but disapprove of the Statutory Service as at present constituted. I have heard no general objection to it.

The *President.*

21. Then we come to the Covenanted Service. Are you satisfied with the existing system of recruitment by competition in England?—I think it is the only system possible.

22. Have you heard any complaints as to the disadvantages under which Natives labor in going to England?—I have never heard any disadvantage talked of.

23. Do you consider the present limit of age, places Natives at a disadvantage?—I would not bring out men under twenty-four.

24. What change in the system, if any, would you recommend?—The Covenanted Service seems to be an anomaly of a marked description, justified only by the impossibility of getting men of the proper age and other qualifications. You must give men ten years' training in India before they get a district. Men of a certain position would not come out here on Rs. 500 a month, and the only way you could get such men is by competition in England. I would reduce the num-

The *President*—contd.

ber very considerably. I would confine the Covenanted Service to Commissioners, Collectors, and Secretaries, and a few other specified appointments. I would throw open all the other upper grades now held by covenanted men, and give the appointments to the local Government. They might appoint any member of the Covenanted or Uncovenanted Service to be a Judge or head of a department.

25. You would recruit one service in England, the other in India?—Yes.

26. You say you would reduce the Covenanted Service considerably. Have you any idea as to what is actually feasible?—No; I have only a general idea. You might perhaps eventually reduce it by about one-third; but this could not be done unless a considerably larger number of Uncovenanted European assistants were appointed—which would involve the reconstruction of the lower ranks of the Covenanted Service.

27. By lower ranks what do you mean?—The grades up to Joint Magistrate, 1st grade. I should amalgamate them with the Uncovenanted Service.

28. Up to what age would you admit Natives to the superior service?—Up to forty-five.

29. Would you make all the appointments by selection?—I think so.

30. Would you make appointments only from among Natives of proved merit and ability in the service, or men of proved merit and ability in other ways?—I would admit the Bar. I think it is important. Judgeships should not be filled exclusively from the subordinate grades of the Judicial Service.

31. To what extent does the Uncovenanted Service in the North-West Provinces provide for the recruitment of such a service as you propose?—It seems to me to provide a very admirable field for recruitment. You get extremely good men as Deputy Collectors,—men quite equal in every way to our Civilian Judges, I think.

32. Do you think that the Native community generally would approve of a scheme of that kind?—I think conservative Natives generally—men like Raja Siva Prashad, for instance, would.

Mr. *Ramaswami Mudaliyar.*

33. I want to understand the system you approve of. You would reduce the Covenanted Service by about one-third,—roughly speaking. You would recruit the Uncovenanted Service, intelligent Natives and Europeans being equally eligible?—I would make no alteration at present in the method of recruitment for the Covenanted Service; but it might happen that the number of Natives admitted to the Covenanted Service in England would be so great that we should not have sufficient Europeans for District Officers, and that might come to pass before we could entrust Natives with the charge of districts. In that case some alteration of the rules of examination in England would be found necessary.

34. Then you would amalgamate one-third of the posts reserved for Covenanted Civilians with the higher grades of the Uncovenanted Service, making a local service of it?—No; a reconstruction of the Covenanted Civil Service would affect only the grades up to Joint Magistrates of the 1st grade. Judgeships and heads of departments would be outside of the service, recruited as Police Magistrates and County Court Judges are recruited in England. Here they would be recruited either from the Covenanted Service or from the Uncovenanted Service, or, in the third place, would be open to the whole world.

Mr. *Ramaswami Mudaliyar*—contd.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

35. Would you throw open indiscriminately all the appointments not to be held by Covenanted Civilians exclusively?—Yes; the nominations should be by the local Government.

36. If you reserve appointments to the higher service to Covenanted Civilians, how would you fill up vacancies?—There would be two strata, one higher and one lower.

37. If you have a higher and a lower stratum, how would you fix the numbers of each?—By calculation. The number of Covenanted Civilians should be based on the number of men required to serve ten years before becoming Collectors. They would enter the Subordinate Service in India in the same grades as Extra Assistant Commissioners and Deputy Collectors

38. Then you would not reserve all these lower appointments for the second class? You would have many of the probationers in the second class also?—They would be apprentice Collectors; they would be in that class. There is another point to be mentioned in connection with that. It would be necessary to increase the number of European Assistant Collectors, and to increase the number of Europeans in the Subordinate Service. It is probably necessary for every Collector to have at least one European assistant. In that way you would recruit men who would not rise beyond the grade of Joint Magistrates. They would be recruited as your European Police Officers are now. These men would come out on Rs. 250 rising to Rs. 1,000.

39. You are for selection for that second class—I mean nominated or selected by the local Governments?—No; for higher appointments, that is for Judgeships or heads of departments. Some Judgeships should be reserved for Civilians; say, two-thirds would be nominated by Government.

40. You would have two classes of Civilians—upper and lower. The upper, consisting of Judges, Collectors and District Magistrates, Secretaries, Councillors, and so on. Then the difficulty that occurs to me is—how to fill up vacancies in that class, if the lower class is to be selected or nominated by the local Governments? Do you think examinations by local Governments would secure men of calibre to fill vacancies to succeed to the higher class?—For the Covenanted Service the admission would remain the same as now. It is only for the appointments held now by the Covenanted Service which would, under my scheme, be thrown open to the world that the local Governments should nominate.

41. Suppose most of the grades now held by Europeans who came in through competition are thrown open to Natives, what do you think would be the probable effect?—That depends a good deal upon how you are going to throw it open. If you throw it open to competition, the effect would be simply ruinous.

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W. C. Benett, Esq.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur—contd.

42. Assuming that the qualifications we require for Natives to occupy high posts are these three—intellectual capacity, physical fitness, and moral character—to which do you attribute the highest importance?—I do not know. I think physical fitness does not go very far. You want a certain amount of ability. Courage and honesty really are the two qualities you want more than anything else.

43. Do you not think physical capacity the principal qualification?—Oh no, not at all.

44. You would not have a Secretary under you who did not know anything, but was a strong stalwart man?—I do not think physical qualification goes very far.

45. To which of the three—viz., moral character, intellectual or physical capacity—do you attribute the highest importance?—I think moral qualifications. If I had a Secretary I could not trust, I should not care how much he knew.

46. Do you think if the Civil Service was thrown open to all castes, the masses would be represented in it?—My objection to have a Native as Secretary to Government is not on account of his intellectual or moral qualities, but I think him very unlikely to keep secrets. They would be so much more open to temptations than we are. They have all their friends around them. It would be almost impossible they could keep to themselves what they would learn in the position of Secretary to Government. It is not moral or intellectual disqualification that keeps them out of the appointment.

47. The question is as to the admission of Natives to the higher posts under the Government of the country. Suppose many of the places now occupied by Covenanted Civilians were thrown open to Natives, do you think they would fill those places satisfactorily?—There is a noble specimen in your next-door neighbour (Hon'ble Syad Ahmed Khan) who would no doubt have been appointed a Judge of the district. His son has already been appointed a Judge of the High Court. The Mahomedans are very fairly well educated; they contribute about two to one in proportion to their population to middle education, and about the same number as Hindus do in proportion to their population to higher education. Hindus and Mahomedans in this Province are as 1,000 to 134. If one man in 134 Hindus gets a high education, one man in 134 Mahomedans does also.

48. What is the state of education in the different communities? Take the Rajput cultivator, artizan, &c., classes—who would take to higher education, assuming higher education to be an essential qualification for fitness?—The Brahmans and Kayeths, I think.

49. I am speaking of higher education that would qualify men for higher posts under Government?—There are 170 Brahmans to 273 Kayeths, after them 95 Banias. There is no one else in the running. That is not the highest standard—it is the Anglo-Vernacular education.

50. With regard to primary and middle-class education, I suppose the masses are pretty well off?—I think that would indicate how education would go.

51. But it is necessary for me to know what you think of it.—Those are the classes that are taking advantage of education now.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur—contd.

52. What is the proportion of the classes who go in for high education, and generally succeed? What proportion do they bear to the general population of the country of these Provinces now?—I think the number is, of those who receive a University education, 3 to 10,000: 3·14 with Mahomedans, 3 44 with Hindus.

53. It is a very small class, in fact a very small minority?—Very minute.

54. This class, do you happen to know, is composed of men who are habitually or professionally clerical; that is to say, men who do nothing else but read and write, and acquire education, and seek employment, either private or under Government. Is that the class you mean?—Yes, it is entirely.

55. Then the other classes, including Mahomedans, are very backward in respect to higher education?—In the table for the Anglo-Vernacular standard the Mahomedans are 176. They come next after the Kayeths. They are about the same as Brahmans. I was simply giving you the Hindu castes. 176 Mahomedans, 170 Brahmans, 273 Kayeths, 95 Banias.

56. I am speaking with regard to backward classes. Do you think if higher administrative posts were filled up largely by Natives, these clerical or forward classes would supply these posts? Do you think that when they are in power they would sincerely work for these backward classes, that they should come up to their level and compete for these posts of emolument and power? Do you think so?—A Brahman would not care to educate a man of lower caste than himself.

57. Take the case of an artizan, however influential in his community; speaking even of a Mahomedan, would a Mahomedan, if in a high post under Government, say that of Director of Public Instruction or some such post, would he care to bring these classes up to his own level? Would he care to work for them?—No; I do not think so.

58. Do you think the feelings, the sentiments of these educated, advanced men, are the same as those of the masses, composed of different sects, religions and nationalities?—Oh, very different.

59. Do you think that the Mahomedans, Hindus or anybody else who are advanced, have the same feeling of affection towards their country and countrymen as educated Englishmen and Scotchmen have towards their countrymen in England and Scotland?—Among Hindus they have a very strong sense of patriotism; but it gathers round their own social party, and does not apply to the whole country. I do not think they would recognize the whole country.

60. Do you agree in this remark made to me by a gentleman that India is divided by a diversity of religions and classes, the religious parties being as strongly influenced by religious feeling as Orangemen in Ireland?—I think so very much.

61. In these circumstances do you think it would be just or desirable, politically or otherwise, to give appointments of power to Natives, the advanced classes, few as they are, unrepresentative as they are of the whole masses?—That is just exactly my view. I think they should not be entrusted with executive power at present.

The Hon'ble Kazi *Shahabuddin*,
Khan Bahadur—contd.

62. What is the existing feeling between the Hindu and Mahomedan populations in these Provinces? Is it one of mutual sympathy and regard or the reverse?—I do not know. The ordinary feeling is one of complete indifference and toleration; but it is liable to occasional fits of fanaticism.

63. I am not speaking of special occasions, but of the general every-day feeling. I am not speaking of the lower classes, because they do not think of these matters, but of those that do think, what is the feeling? Is it one of sympathy or the reverse?—I hardly feel competent to say.

64. Have you not heard of these riots lately?—They are temporary.

65. Do you read the Native papers?—I see the abstracts that are published in English.

66. What is the tone of the Indian Press in this matter in regard to different sections of the community?—The Native Press generally confines itself to attacking Government, I think.

67. Do all Native papers do so?—No; the Bombay papers are much better than the Bengal papers.

68. I am very glad to hear that; it is a compliment to me. With regard to these riots: you know in riots, sometimes one party, sometimes another party, and sometimes both parties are to blame. How has the Native Press behaved? Has it represented the facts impartially, do you think?—Oh no, each side has taken up the cause of its co-religionists. You may expect that always.

Mr. *Stewart*.

69. What experience have you had of Natives admitted by competition in England?—I have had no experience. I only know of one instance.

Mr. *Stokes*.

70. You say you would have nomination for the Uncovenanted Civil Service?—I think for recruiting for the Uncovenanted Civil Service the best plan would be to have half the appointments given by promotion from Tahsildars, &c. I would draw a line for the higher Uncovenanted Service at the grade of Deputy Collectors. I would appoint half by promotion from Tahsildars, and half by a mixed system of selection and competition. Perhaps the University might nominate; Government might nominate, the Board might nominate, say three candidates for every post, and let them compete. I think that would be a good plan.

71. Do you say if Natives were placed in positions of trust, they would not care for the masses? Is that your opinion, or have you special reason for thinking so?—I have special acquaintance with the masses I know them better than I do the advanced Natives. I do not think there is any feeling of sympathy with them at all.

72. Why do you think that educated Natives placed in positions of power would not care for the masses?—Educated Natives of the present day are theists; the uneducated pantheists; they are wholly different people. My idea is, that the caste system in India for many centuries has reduced the common sympathy which the Hindu feels for any one out of his caste or sect. One of the most remarkable traits in the Native is the *pietas* Natives feel for people who are closely

Mr. *Stokes*.—contd.

connected with them. That peculiarity of their character would not be extended: when they get to higher appointments they would not care about people of other classes, I am certain.

The Hon'ble Mr. Justice *Mitter*.

73. Do you not think they have broken away from rules of caste?—Caste system is inherited. You may change your intellectual views, but you cannot change your character. It requires a very long period of time to alter the character of a people.

74. Can you cite an instance in which you found a Native in India placed in a position of trust who did not care for the masses?—It is impossible to say.

75. Does any instance occur to your mind?—One does not really know whether they care for them or not in concrete cases.

Sir *Charles Turner*.

76. The clerical classes you speak of are principally men who have sprung from cities and towns—and who form part of the urban population?—Yes, almost exclusively.

77. And the masses are rural and agricultural?—Yes.

78. Do you think that these classes are wanting in sympathy with the other urban inhabitants?—In India I think sympathy is absolutely wanting.

79. In the clerical classes in the urban communities?—I do not think there is very much sympathy outside the caste.

80. How do you appoint Tahsildars in these Provinces?—There is a circular order regulating the appointments. They are generally nominated by district officers, and the Board also nominate two a year; Commissioners have also nominations, and the Government a discretionary power.

81. Do you see any objection to providing for a limited competition among Tahsildars, reserving one portion for nomination? If you have one-half of the Tahsildars appointed by nomination, would you have the other half by limited competition?—That is what I suggested for Deputy Collectorships. I could not go as low as Tahsildars, as they have great executive power, and it is an appointment for which competition is not suited at all. A Deputy Collector's work is not purely executive like a Tahsildars. I would not have competition for anything lower than Deputy Collectors.

82. Young men are appointed directly to Tahsildarships very often. Is there any compulsory educational test?—Nothing beyond having passed the middle-class Anglo-Vernacular.

83. And in later years you have had men of higher education?—Yes; and my opinion is that they are much more honest.

84. With regard to judicial appointments, do you see any objection to a system allowing the nomination of a certain number of pleaders?—I would throw the service open to pleaders certainly.

85. Are you aware of the system of appointment to Munsiffships?—I know very little of it. It is out of my range altogether.

The *President*.

86. Have you seen the work of Natives in charge of Sub-Divisions?—No; I have had

The *President*—contd.

Natives in charge of encumbered estates, and they have done very well.

Sir *Charles Turner.*

87. What is the proportion of Natives to Europeans in the Judicial and Executive Services in these Provinces?—I am not prepared on that point.

The *President.*

88. Have you any other point you would like to bring forward?—No; I might suggest that perhaps you would have to introduce new Pension Rules.

Mr. *Stokes.*

89. You said you would make up for loss of strength in the European element of the Covenanted Service by appointing Europeans to the Uncovenanted Service. How would you do it?—By appointment as now to the police.

90. Would you appoint from home?—No; I would allow the local Governments to nominate.

91. Then how would you provide against bad bargains, nominees that could not pass examinations?—There would have to be some test—moderate test. Not a very great amount of education would be necessary.

92. Would you make any special Statutory provision to guard against the admission of men who know nothing at all? The great majority of policemen are quite qualified to do Assistant Collectors' work.

Mr. *Ryland.*

93. Would you not allow the Europeans to rise to the higher posts of trust? Should not the whole of the appointments not reserved for the Civil Service be open to everybody—I do not say Secretaryships or the charge of districts?—I do not see why they should not be appointed; the only difficulty would be mechanical, how you would draw the rules. I do not think you could draw rules admitting them that would not admit other people who ought not to be admitted. If you removed the covenanted barrier, it would be difficult to keep out other people.

Sir *Charles Turner.*

94. Occasionally Civilians recruited in England are not fit for the charge of a district?—Yes.

95. What would you do with them?—We should still have the same vacancies for them as for the Uncovenanted Service.

96. But for the classes of men who, after trial, were found to be insufficiently qualified for charge of districts?—You would have to provide for a certain number of Civilian Judges. I contemplated that from the first. A man may often make a good Judge, who does not make a good District Officer. A bad District Officer might make a good District Judge.

97. Have you not heard of cases in which they fail equally as Judicial and as Executive Officers?—There are cases in which they have failed as both; but what is Government to do?

98. What would you say to a scheme of compulsory retirement?—I should like some rule of the sort, but it would have to be drafted with very great care.

Sir *Charles Turner*—contd.

99. Do you know of any instance in these Provinces in which gentlemen have been informed they would not be appointed beyond the grade of Joint Magistrate?—I believe there have been cases, but they are very rare. There was a gentleman so informed, I believe, but he is dead.

100. There have been such cases in your experience?—I believe that it is the only case I can remember.

101. Do you remember an instance in the case of a gentleman who held an appointment in the Muttra District some years ago?—No.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

102. You said you would reserve higher posts for the competitive service. Why? Suppose one of these posts happens to be one of the greatest difficulty or delicacy, would you not allow the local Governments or the Gove rnment of India to appoint any one to that post?—I think I said I should restrict the number of appointments to be held by competitioners to certain classes. I do not say exactly what classes of appointments I should restrict them to.

The *President.*

103. Have you any remarks to make as to the pay, furlough and pension rules applicable to Europeans and Natives respectively?—I would adopt the same system as in England. For the Upper Covenanted Service I would make a service of fifteen years the minimum pensionable, and grant one-sixtieth of the average emoluments for every year beyond fifteen of service with a maximum limit of one-half. I think it would be a very good thing if some rule of the kind were introduced in the Civil Service. A man would reach one-fourth of his average pay in fifteen years. I would make no distinction in pay between those recruited in England and those in India.

104. Would it not create serious financial difficulties? I do not think so. I do not think the question of pay would assume very large proportions.

Note by *W. C. Benett*, Esq.

We may start with the axiom that the only justification for excluding any class of men from any class of appointments are administrative or imperial requirements, and that they must be proved.

The Covenanted Service is an institution, the like of which is not found in any other country, and whose existence is only justified by exceptional requirements. These are that the men should be—

(1) Foreigners.
(2) Of a certain class and with certain attainments.
(3) To do work which requires considerable practical experience and personal energy.

In order to enable the foreigners to acquire the requisite experience, it is necessary to take them at an age which will give them, say, ten years' training before they are of the age at which they are best fitted for their work. This age is between thirty and forty, and young men must therefore be taken.

In order to get men of the requisite qualifications, adequate inducements must be held out. They must begin in a position and on a scale of pay not less than the Covenanted Service get at present.

The only class of appointments to which these considerations still apply is that of Collectors—with the appointments to which Collectorships directly lead. Any posts except that of Collector can be filled as well by any class of men as by Covenanted Civilians. There is therefore no reason for maintaining the distinction between Covenanted and Uncovenanted Civilians, and the two lists might and should be amalgamated up to the grade of Joint Magistrate, first class, inclusive.

Note by *W. C. Benett*, Esq.—contd.

As, however, this arrangement would greatly reduce the number of European Assistants—and at least as many as are in employ now are required—it will be necessary to appoint to the Upper Uncovenanted Service a certain proportion of European Assistants in addition to the Covenanted Assistants who are in training for Collectorships. These men would not be entitled to promotion to Collectorships, but they would have the same claims to promotion to all other appointments as the other members of the Uncovenanted Service. Their position would therefore be at least as good as that of officers in the Police, and they should be recruited from the same class of men. This arrangement would, however, probably be found to reduce the rate of promotion in the subordinate grades now enjoyed by Covenanted Civilians, and in that case it might be found necessary to make special rules for their promotion. It is probable that if placed on a combined list in the 500-rupee grade, they would still be below the one 1,000-rupee grade when their turn comes to be appointed Collectors. This, however, is not a point of political importance, and might be considered in the Finance Department. The restriction of covenanted appointments to Collectorships, Commissionerships, and the Secretariat, would throw open a number of appointments from which the Uncovenanted Service are at present debarred. These are Judgeships, Heads of Departments, and the upper grades of the Finance Department. For these appointments the only qualifications should be those laid down in sec. 6, 33 Vic., chap. 3—"proved merit and ability"—with a maximum age, which I would fix at forty-five. Competitive examinations cannot prove merit or any but a special form of ability which is not required for these appointments. They are only used for the Covenanted Service, because very young men are wanted, and there is no other possible method of selection. Where men of mature age are to be selected, they are absurdly inappropriate. No one would think of selecting Police Magistrates or County Court Judges, to say nothing of Puisne Judges or Heads of Administrative Departments, by this means in England, and there is no imaginable reason for adopting it here, where the conditions are much more unfavorable than they are here.

As the men appointed to the higher appointments would already have given the best proof possible of their merit and ability, no period of probation would be wanted; and in any case a period of probation is little better than a farce. Incompetence, unless in a degree which ought to have barred the original appointment, will not be sufficient excuse for dispensing with a man when he has once been set to work.

Covenanted Civilians would still be eligible, together with all other classes, for the appointments which would now be thrown open, and it might be necessary to reserve a certain number of Judgeships and other superior posts to that department.

A question of some difficulty is to what extent Natives can be entrusted with criminal work. This must be considered from two points of view:—

(1) The effect on criminals, and through them on the people.

(2) The effect from the point of view of the Executive.

From the first point of view I am inclined to think that the distrust now felt of the administration of criminal justice by Natives is not well founded. The percentage of cases in which Native assessors differ from the Judge in Sessions cases is now very small. The Judge will be better educated and more responsible than the assessors are, and he will have a greater personal interest in the suppression of ordinary crime than an English Judge has. If, however, it is decided that they are not at present to do Sessions cases, the difficulty must be met by some special measure, such as the appointment of Circuit Judges. This, however, is not, in my opinion, necessary.

From the second point of view, I think that the danger might be very considerable, and I would meet it—(1) by insisting on the appointment of a certain proportion of English-born Judges; (2) by strengthening the English (and specially the Covenanted Civilian) element in the High Court; and (3) by giving the Executive increased powers in criminal cases.

Note by *W. C. Benett*, Esq.—contd.

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W. C. Benett, Esq.

The question arises as to whether, in the case that the majority of Judgeships were filled up from the Lower Subordinate Service, it is desirable to maintain the present distinction between the Judicial and Executive lines. I am inclined to think that it should be abolished, and that a system like that which preceded the institution of separate Civil Courts is better fitted to the circumstances of the country. Given the requisite ability, which would be secured by the system of selection, a man who has done Executive work, or who has had practical business experience at the Bar, is likely to make a much better Judge than a man who has spent all his life on the Bench. But there is a danger that the tendency may be to select Judges almost exclusively from the latter class. There is certain to be an idea that they have the first claim. The danger of the growth of a formal law which is out of harmony with the needs, social and political, of the country, is very great. Where the legal maxims are imported from abroad, the Courts are not under the control of any healthy or effective public opinion, and are supervised by a Bench most of whose members must be foreigners, and many of whom are necessarily ignorant of the social and political requirements of the country. The only remedy appears to me to select the Judges from men who have had the widest possible experience in life up to the time of their selection, and I think that this should be done even at the expense of some formal flaws in the administration of the law. If the law they deal out is worse, it is nearly certain that the justice will be better, and what the Natives like and admire in our judicial system is not certainly the law it administers, but its independence of the Executive which appeals to their growing sense of freedom. The law courts take for them the same place as juries did for our forefathers, and juries have never been admired on account of their law.

A subordinate point is the question of service and pension. The limit of fifty-five years, which is fairly appropriate in the case of Europeans, is too low in the case of Natives who will constitute the majority of the upper service in future, and it should probably be raised to sixty. The present system of pensions, which requires thirty years' service, will be inapplicable to men who are appointed at perhaps between forty and forty-five from the Bar, or other outsiders. What should take its place might be considered by the Finance Department. Probably it might be found expedient to introduce something like the English system, which gives one-sixtieth part of the average emoluments for every year of service. At fifteen years' service, which might be taken as the minimum entitling to pension, an officer would have earned a pension equal to one-fourth of his annual emoluments.

As has been said, competition would take no part in the selection to the higher service; but it must be considered what part, if any, it should take in selection for the Uncovenanted Service above the rank of Tahsildar. I should be inclined for the present to divide those appointments (excluding the few Covenanted Assistants) by half, and give half to men who have done good service as Tahsildars, and half to men selected by a combined system of nomination and competition, the details of which might be settled hereafter.

I would not alter the present rules for the selection of Covenanted Civilians, except to raise the age, so as to bring them to this country usually when they are about twenty-four years old. As the number appointed will be regulated by the requirements of the State in the matter of Collectors, and not with regard to its requirements in the matter of Assistant Collectors, their numbers may be greatly reduced and their period of apprenticeship much shortened. This would attract a better class of men than the present system. Natives would be admitted as at present, but the competition would probably be more severe; and if it were not thought advisable to make Covenanted Natives Collectors, they could be selected for the Judgeships not reserved for Europeans. At the same time the fact that they would have been compelled to go to England to pass their examination would give them the best cause possible of qualifying for the position of district officers.

WITNESS IV.—*29th December 1886.*

L. M. Thornton, Esq.

Examination of L M. THORNTON, Esq., of the Covenanted Civil Service.

The Hon'ble Mr. *Quinton.*

105. How long have you been out?—Six years.

106. You are not able to speak about Statutory Civilians?—No; not at all.

107. Are you aware of any feeling against it among men of your own service?—It is not settled, as I understand, what is to be done. There is a certain feeling of apprehension in the matter, no more than must always arise under the circumstances.

108. Do you think there are any good grounds for dissatisfaction?—I have never thought over the subject at all. I think there is a certain amount of dissatisfaction. The feeling is that the advantages generally of the service, such as they were when entered, should remain the same, as otherwise a man has no security that he will get any *quid pro quo* for coming to India at all, beyond what he receives when he arrives in the country.

109. Have you thought over any change that could be made in recruiting for the Civil Service in India?—No.

The *President.*

110. How many Statutory Civilians are there in the North-West? Do you know what classes they are taken from?—I think there are four: I am not very certain. I know in the case of two or three what classes they come from, that is to say, I know something about their families.

111. What are they?—I could not speak about the caste. The Statutory Civilian with whom I was acquainted was the brother of a Raja in the Bijnor district. I believe the Statutory Civilians belong to influential families.

112. Do you consider the section of the Act satisfactory, so far as regards the definition of Native of India?—I do not recollect it sufficiently well to say. I had not studied the subject at all until I recently received a copy of the questions.

The Hon'ble Mr. *Quinton.*

113. Have you seen the various suggestions that have been made? Have you thought over the questions at all?—Not very much—to a certain extent.

114. Did any Native go up for examination at the same time that you did?—Yes; one.

115. Do you think the present age is too young an age for India?—Yes.

116. Would you raise the age?—Yes.

117. What to?—I would make it twenty-one. I think it would be an advantage for both Native and European Civil Servants. I think it would not be unreasonable to make a concession to Natives, in consideration of the fact that they have to go to England. I think the limit of age might be made a year or two later without serious objection.

118. Would you make any change in the subjects or alter the scale of marks?—No; but it is a long time since I had anything to do with the subjects of the examination.

119. Have you ever thought of holding an examination in India?—Yes; I have thought of it. I think it would be very undesirable. I think it would give rise to awkward consequences,—I mean that it would be difficult to carry out the measure to its logical results.

The Hon'ble Mr. *Quinton*—contd.

120. Do you think it would result in lowering the standard of education admitted?—I think the standard would have to be altered, education being different out here. The conditions are so different here that the character of the examination must be altered. I do not think it would be practicable to hold similar examinations in England and in India. The two would have to be dissimilar.

121. Do you think, if there was an examina- in India, the men who passed should be sent home?—No.

122. Did you go to Balliol?—No; I was at another College in Oxford.

123. Were any Native students at Oxford when you went there?—There were plenty of Native gentlemen in Balliol. I am wrong in speaking of them all as Natives. They were Orientals. Some were from India, some from Japan. They were studying independently. There may have been three or four Hindus at Balliol.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

124. Why do you say it would not be possible to hold similar examinations in England and in India?—The system of education is different in the two countries. If you have, in India, a youth of sixteen who has studied English subjects and one of sixteen who has not, but has studied Oriental learning, there is no sufficient reason why, in an examination for service in the country, advantage should be given to the former.

125. Do you attach great importance to Latin and Greek?—I attach great importance to them, considering the position they hold in England, as a means of testing young Englishmen, but I do not say I would attach importance to them in testing young Natives.

126. Besides this difficulty about language, do any other difficulties occur to you in the way of holding competitive examinations in India for the Civil Service?—I think the caste difficulty —and race prejudices of this country—would be much more difficult to deal with in connection with the men competing in India in examinations than it is in connection with the men who go home, who are more or less emancipated from prejudice.

127. Suppose after entrance, all those admitted are compelled to reside in England for two or three years, would that objection exist? —I am against doing that; but it could be done, and might diminish the objection. I do not see why it should be done. It is not in the direction of governing India for the Natives. I mean, I do not think it is in the direction that the present movement (as I understand) is intended to follow. I do not see why Natives, who are to govern their own country, should be required to go to another part of the world for instruction.

Mr. *Stewart.*

128. How many Native Covenanted Civilians have you in the North-West Provinces selected by competition?—I cannot say the number.

129. Natives selected by competition at home?—One, Mr. Rustomjee.

Mr. *Stokes.*

130. You say the age of Natives, as at present fixed, is disadvantageous to the Natives?—The Native youth has to begin studying for the examination very late, whereas the English boy at sixteen can make up his mind without any disadvantage. All that he has studied up to that time would be useful to him. The knowledge required at the examination is a point to which English education leads, and Oriental education does not.

131. If you are going to alter the age of Europeans and Natives, would the Native be on any better footing at the age of twenty-one than at nineteen?—Yes; I think they would.

132. You say they would have a longer time for the European examination?—Yes; and that at an age at which the mind can master subjects pretty rapidly.

Sir *Charles Turner.*

133. Speaking generally, how long after a Covenanted Civilian arrives in this country is it before he obtains full powers?—To my recollection about a year and a half. I cannot say very accurately about the present practice, as some years have elapsed since my own case.

Sir *Charles Turner*—contd.

134. Are there any rules in these Provinces as to the date on which he should pass his examination to obtain full powers? Any rules prescribing the period for passing the examination?—The examination is one in a number of subjects, and a Civilian, when he comes out, is given powers of the third class. There are two classes above to be reached before he can get full powers. It generally happens that men do not pass the whole of the examination at once. At the first examination some subjects remain over, in which he has to pass at a later examination. There is no objection to a man going up for an examination whenever it occurs.

135. Do you know of any case in which full powers have been granted in less than a year?—No. I have not known any such case.

The Hon'ble Mr. *Quinton.*

136. You have not had much district work?—No; only three years.

137. Have you formed any opinion as to how the public service should be recruited?—No.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

138. Do you know why the age was reduced to nineteen?—No; I have often wondered.

WITNESS V.—*29th December 1886.*

J. Clarke, Esq.

Examination of JOSHUA CLARKE, Esq., of the Uncovenanted Service, Deputy Registrar of the High Court, North-Western Provinces.

The Hon'ble Mr. *Quinton.*

139. You are Deputy Registrar of the High Court?—Yes.

140. How long have you been in the Court?—For twenty-two years.

141. How long have you been in the service?—Twenty-seven years.

142. What appointment had you before?—I was for five years in the office of the Board of Revenue.

143. You are an Eurasian?—Yes.

The *President.*

144. Is the existing system of appointing Natives as Statutory Civilians approved?—It is not one which gives entire satisfaction; the dissatisfaction is confined to the educated classes; and the whole scheme is regarded as one of economy. I think there is also some dissatisfaction with reference to the mode of selection, and that dissatisfaction is expressed both as against the Rules and the Statute.

145. Would you alter the definition of Natives of India in the Statute?—I would alter the Statute by substituting "any person born *or* domiciled" for "any person born *and* domiciled."

146. Would you not include Natives of Native States?—No.

147. Has the Statutory system secured efficient men, and how are they looked upon by members of the Covenanted and Uncovenanted Services?—There have been only a few men appointed yet. I do not know what the feeling is as to the manner in which they have been working. The Statutory Civilians are looked on as somewhat below the Covenanted Civilians, but above the Uncovenanted. The Uncovenanted officers do not look on the Statutory system with satisfaction. But the appointments are few and have only lately been made; I believe there has been no friction actually.

Mr. *Stokes.*

148. As Deputy Registrar of the High Court, I suppose you come in contact with them?—I have come in contact with two or three of them.

Mr. *White.*

149. Did the present system of recruitment for the Statutory Civil Service cause any dissatisfaction amongst the older members of the Uncovenanted Service, men of proved merit and ability, who naturally expected to get into the Statutory Civil Service under that Statute?—Yes, it did.

150. And if the Statutory Civil Service is to be retained, would you give the appointments to men of proved merit and ability in the Uncovenanted Service?—Yes.

Mr. *Ryland.*

151. Would you recommend that the Statutory Service be retained, or that it be abolished, and a portion of the service be open to the Uncovenanted Service men, as well as to other classes, by any system of appointment that might be decided upon?—Generally the feeling has not been in favor of the Statute itself or the Rules; and if the same system is to be continued I think certainly that the Statute should be abolished, and the alternative arrangement you suggest introduced.

Mr. *Ryland*—contd.

The Hon'ble Mr. *Quinton.*

152. You are an Uncovenanted officer yourself, Mr. Clarke?—Yes.

153. When you speak of this feeling generally about the Statutory Service, you speak from your own point of view?—Generally from an Uncovenanted view, as well as from outside, that is, from the point of view of those who are not in the service amongst the Natives.

154. What class of Natives are you brought in contact with?—Pleaders and others.

Mr. *Peacock.*

155. You say you would reserve a portion of the appointments now given to the Covenanted to the Uncovenanted Service in event of the Statutory Rules being abolished?—Would you give the whole of the appointments to the Uncovenanted Service, or would you let a portion of them revert to the Covenanted Service?—I do not quite understand that question.

156. Do you know that one-fifth of the appointments made in England are reserved for Statutory Civilians?—No; I was not aware of it.

157. What I want to know is whether, in the event of the Statutory Service being abolished, you would give the whole of those appointments to the Uncovenanted Service, or would you reserve any portion of the appointments for other classes?—I would recruit from other classes.

158. Would you give the Uncovenanted Service any distinct proportion—I mean two-thirds or one-half—or what proportion would you reserve?—Yes; I would. I should reserve two-thirds.

159. For the Uncovenanted men of proved merit and ability of the Uncovenanted Service?—Yes.

160. Do you know the number of recruitments for the Statutory Service in the North-West?—Mr. *Quinton*: It is one and two in alternate years.

Mr. *Ryland.*

161. Do you think that proportion is sufficient to be sub-divided as you propose, that is, two-thirds to the Uncovenanted, or would you have a larger share of the appointments than one-fifth, which amounts to one in one year and two in the next?—I do not think that is a sufficient proportion. It should be larger.

The *President.*

162. Coming now to the Covenanted Service, is there any dissatisfaction as to the manner in which it is recruited by competition in England?—I am not prepared to answer that.

The *President*—contd.

163. Do Natives of India labor under any disadvantages in the competition?—Yes; the objection raised, as I have heard it, is on the ground of want of means to go to England; that only the richer classes can go. There has also been objection as to the age.

164. Do the Natives go readily from this part of the country to England?—Of late years more have gone.

Mr. *Stokes.*

165. Have you ever heard a man say, "I have a son whom I would send to England to compete if I had money enough"?—Yes; I have heard some say that they would have done so if they had had the means. Such cases, of course, are very few. It is among the few I have heard it; but there have been objections on that score.

The *President.*

166. Is competition in England favored by large and important classes of the Native community?—They would prefer examinations in India.

167. If an examination were held in India, should it be of the same kind, of the same standard, of the same conditions, as far as possible, as in England, or different?—I think there should be some difference.

168. Would you encourage Natives to go to England in order to pass an examination?—Yes.

169. In what form would you encourage them? Would you establish scholarships?—Yes; I would.

170. Would you pay passage-money?—No; I would not pay passage-money.

171. Do you consider that the educational institutions available in India can give the very high qualifications required for the Civil Service?—Certainly not in this Province.

172. Do you think that there are any political or administrative objections to competition in India?—I am not prepared to say.

173. Do you think, for instance, that men of good family would have a chance of holding their own in open competitive examinations in India?—No.

174. What age would you raise the limit to for competition in England?—Nineteen to twenty-four.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

175. What do you mean by nineteen to twenty-four—that you would not admit anybody under nineteen?—Not under nineteen.

176. How would that act, suppose some entered at nineteen? You would make the age from nineteen to twenty-four—minimum nineteen, maximum twenty-four. How would it work or act?—I simply mention that from what I have heard.

177. How long have you been in the service?—Twenty-seven years.

178. Who are the classes generally who go in for higher education? How do your people fare—I mean Eurasians—in this respect, in point of education? Do they avail themselves very largely of this College here for University education?—The conditions of this College do not allow them to do it. Our boys generally take Latin as their second language. There is no provision in the College to enable them to continue their Latin studies. But I think there is a tendency to avail themselves to a larger degree now.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur—contd.

179. Suppose the Government decided to throw the Civil Service open to all Natives and Eurasians alike for the higher appointments, who do you think would fill the higher appointments? Would your people go in largely for these higher appointments?—I think they would.

180. And you said that there should be a competitive examination in India?—No; I think I said it would be approved by the Natives in India.

181. What do you think yourself with regard to your own community? Would you like to have an examination in England for the Civil Service or otherwise?—I would prefer an examination in India.

182. For the Civil Service?—Yes.

183. Would there be many candidates from your class,—I mean to say, proportionately speaking?—Yes; I think proportionately there would.

184. And would there be many successful?—I am not quite prepared to answer that.

185. With reference to your own community. Suppose Bengalis or Mahomedans get the largest share of these appointments, how would your community fare with these people as your rulers?—They have to deal with them now, as there are Mahomedan and Hindu Deputy Magistrates. There exists no feeling in this Province so far as I know.

186. Do you think that these Hindus and Mahomedans, if they were in high appointments, would deal impartially with each other?—I think they would go side by side, without any feeling against each other.

187. Suppose there was a vacancy, and the Collector was a Mahomedan or a Hindu, and the vacancy was for a head clerk in his office: who do you think he would prefer?—You mean a Mahomedan Collector?

188. Supposing a Mahomedan Collector or a Parsi Collector?—I think he would prefer one of his own class.

Mr. *Stokes.*

189. You say that the standard of education is not high enough in these Provinces as yet to enable men to compete sufficiently well for the Civil Service?—Yes.

190. And yet you say there are men you have met who would send their sons to England if it was not so expensive?—Yes.

191. How could that be if the standard of education was not high enough?—They have not means enough to send them home to England for education.

192. My question referred to competition.—I did not mean competition.

The *President.*

193. Would you recruit the Uncovenanted Service from Natives of India only as defined in the Statute or from all natural-born subjects of Her Majesty?—From Natives of India as defined in the Statute.

194. You know the orders of 1879, which do not permit the promotion or appointment of Europeans to appointments of Rs. 200 a month without the sanction of the Secretary of State?—Yes.

The *President*—contd.

195. Can you say what effect that has had on the Subordinate Service ?—I have not had experience sufficient to enable me to speak on the point.

196. Would you recruit for the Uncovenanted Service by nomination, competition or how ?—Certainly by competition.

197. Open competition ?—Yes.

198. Entirely ?—Yes.

199. For all classes of offices, the lower as well as the higher, on first appointment ?—Yes.

200. Would you appoint Tahsildars by competition ?—Yes.

201. Do you find young Natives of good family readily accept office in the Uncovenanted Service in this Province ?—No.

202. Do you know what their objections are ?—I believe their objections are to the effect that the service is open to all classes, and members of the old families of influence and position would not care to take service with them.

203. Do members of the professional classes, pleaders for instance, readily accept service in the Subordinate, Executive, and Judicial branches ?—Pleaders accept the office of Munsiff readily.

Mr. *Stokes.*

204. What is the pay ?—Of the lowest grade, Rs. 200 a month.

Mr. *Peacock.*

205. Rising to four ?—Rising to Rs. 400.

The *President.*

206. If you had open competition for the Uncovenanted Service, would you have the competitions provincially—one for the Punjab, one for the North-West, and so on ?—Under the present conditions of education, I would.

207. Would you make direct appointments from the Uncovenanted Service to Covenanted posts ?—Yes.

208. To what extent does the Uncovenanted Service in the North-West Provinces include in its ranks persons of proved merit and ability who could with advantage be promoted to Covenanted posts ?—I do not think there would be many : I should say 15 to 20 per cent.

209. Should the men go in at the lowest grade, Assistant Magistrates, for instance ? Are the prospects of the service sufficient to induce them to sacrifice their position ?—Not so, if they have been in the service for some time.

Mr. *Ryland.*

210. You say the Eurasian labors under great disadvantages because he is a Eurasian, and yet there are several who have been most zealous and loyal servants of Government, rendering good service, &c. Under what disadvantage do they labor ? Have they been in any manner excluded by any existing orders ?—They are practically ignored in any general scheme or arrangement for appointment or promotion.

211. How does that occur—in consequence of existing orders prohibiting their appointment ?—I do not think there have been any declared orders, but in the working out even of existing rules for appointments, generally, they are seldom taken into consideration as a matter of fact.

Mr. *Ryland*—contd.

212. What is that owing to ?—I can scarcely say, but such is the practice, as one can see from experience.

213. In this Province ?—Yes.

214. They have not been appointed ?—Not to higher appointments.

215. That is, they have been practically excluded ?—Yes.

216. Then, in reply to question 107, you have said " on the ground of public policy in a country where public feeling in regard to caste and other circumstances must be regarded." Will you kindly state what you mean there, seing that Natives are freely admitted to competition at home for Covenanted appointments ? Explain kindly what you mean by " public policy."—There has been a difficulty experienced in appointing a Mahomedan, for instance, to a Hindu district. It has led to complications. A Mahomedan Munsiff, for instance, appointed to a district where the Hindu population predominated.

217. The question is, whether any natural-born subjects of Her Majesty should be excluded, and I think you said Europeans should be excluded ?—Yes.

218. Then you would exclude Europeans according to that answer ?—Yes, with reference to the meaning of the Statute, I would.

Mr. *White.*

219. By all natural-born subjects of Her Majesty, the Commission means any non-domiciled Europeans, domiciled Europeans, Eurasians and Natives. When you used the words " natural-born subjects of Her Majesty," did your mind include non-domiciled Europeans ?—I did not mean to include non-domiciled Europeans.

The Hon'ble Mr. *Quinton.*

220. In your written answer to question 195, are you speaking of both lines, Executive and Judicial, or Judicial only ?—Both.

221. How are you able to speak of both ? In your experience of twenty-two years in the High Court, have you been brought into contact with both ?—I am acquainted with several Munsiffs, Sub-Judges and Deputy Collectors.

222. Are you acquainted with their duties so as to be able to speak how far they are qualified ?—To speak generally, Yes.

Sir *Charles Turner.*

223. Have you resided for a long time in Agra and in Allahabad, or in the same station as those gentlemen ?—Yes ; I have friends in both services.

224. Have you experience of the appointments of Munsiffs, and how they are appointed ?—There are rules prescribing the qualification of candidates for these appointments. Those qualified under the rules are enrolled in a list of accepted candidates by the Court.

225. The persons who fulfil the qualifications prescribed by certain rules are nominated by the High Court and appointed by Government ?—Yes.

226. What are the classes of persons from whom nominations are made ?—Hindus, Mahomedans, and Bengalis.

227. As far as their employment is concerned, are they Pleaders ?—There are Pleaders.

Sir *Charles Turner*—contd.

There are also men from some of the lower classes.

228. Are they Ministerial Officers of the Courts ?—Some of them.

229. Of the District Courts ?—Yes.

230. And of the High Court ?—Yes. Their service in all these Courts entitles them to eligibility by the rules,—a service of two or three years in the High Court and District Courts with other qualifications.

231. Are you aware whether there is any especial percentage of classes that are nominated thus ?—As far as practicable the appointments are divided equally between Hindus and Mahomedans.

232. Is there any proportion attempted to be preserved between the number of Pleaders appointed and the number of Ministerial Officers ?—No ; none.

233. Who are most generally appointed, Pleaders or Ministerial Officers ?—Of late years, Pleaders practising in districts.

234. Do you know of any complaints to the High Court about the inefficiency of Munsiffs ?—Not lately.

235. Have there been fewer of later years than formerly ?—I think very much fewer.

236. Which of the two classes have made the better officers—those that have been selected from the Bar, or those selected by promotion from among the Ministerial Officers ?—I do not think there has been any complaint showing that distinction.

The Hon'ble Mr. Justice *Mitter*.

237. Is nomination made in accordance with the time at which they are entered in the register ?—For temporary appointments Judges select candidates from the districts where the vacancies occur. When the appointment is permanent, it is generally given to the senior enrolled candidate.

Sir *Charles Turner*.

238. Has the system altered in the last few years ?—I do not know if it has in any particular respect.

239. Is the appointment not generally conferred on the most competent man on the list ? That is, the permanent one ?—Yes.

240. Seniority only on the list is not regarded ?—No; I should have qualified my former answer.

241. The appointment of Subordinate Judge is made by promotion from Munsiff ?—Yes.

242. How is that effected in this Province ? The appointment lies with the Government ?—Yes. It is on the recommendation of the High Court, and that is always accepted.

243. Do you know of any instance to the contrary ?—I do not think there is any instance where Government have refused to appoint any one recommended by the High Court.

244. We have three classes to deal with—Extra Assistant Commissioners, Deputy Collectors, and Munsiffs. Would you have an examination for all these classes, or a separate examination ? Have you thought out the scheme at all ?—No ; I have not thought it out.

245. Then you say you would recruit for the Uncovenanted Service provincially ? Can you tell me why you would recruit provincially ?—It is with reference, as I said, to the conditions of education. If the examination was one for all India, it would certainly be a disadvantage to some Provinces.

246. With regard to these Provinces ?—I think that the candidates from the Bengal Presidency would get the better of the candidates from these Provinces.

247. Do you think that would be objectionable ?—I think so, till the conditions of education were equal throughout.

248. What I mean is, do you think there would be any objection if the Bengalis did get an advantage ?—I think it would be objectionable.

249. Does that objection apply only to the Uncovenanted Service ? What is the nature of the objection ? Why do you think it objectionable ?—My experience has been confined to the Subordinate Service. Government has recognized the difficulty. The Bengali is looked upon as a foreigner.

250. Have you from personal experience known it to be objected to ?—I have certainly heard dissatisfaction expressed.

251. What have you heard ?—That the appointments in the Revenue as well as the Judicial grades should, as far as possible, be reserved for Natives of this Province, and not for those who simply come to this Province seeking employment.

252. I believe a great many appointments in the Judicial Department have been given to Bengalis ? Many.

253. Do you think those appointments have been viewed with disfavor ? Yes.

254. Have not some of the Judicial Officers appointed from amongst the Bengalis been regarded as most able officers ? Yes; as most able officers.

Mr. *Crosthwaite*.

255. By the Court ?—By the Court : they have been regarded as the most able.

Sir *Charles Turner*.

256. And by the public ?—And by the public too, notwithstanding the objection that has been raised generally against them.

257. You have had considerable experience of Natives in this Province—Hindus and Mahomedans. Do you find there has been much friction between them ?—No friction whatever, excepting the riots which have occurred among the lower classes on occasions of festivals. Among the educated classes I do not think friction does exist.

258. Do you know that Mahomedan and Hindu pleaders in the High Court are on good terms, and that a strong friendship exists between them ? Yes ; they are on very good terms.

Mr. *Crosthwaite*.

259. Why would you exclude Europeans not premanently settled here, if you would have open competition as you propose, and competition in England is open to all ?—I would include only those domiciled here. The Covenanted Service is open to all classes by competition in England.

260. If you have open competition for the Uncovenanted Service here, why should it not be

Mr. *Crosthwaite*—contd.

open to Europeans?—It will introduce into India a large number of Englishmen in order merely to get those appointments.

Mr. *Ryland.*

261. Referring to your answer, that Eurasians have been excluded from service, you have said that Hindus and Mahomedans have been appointed in about equal proportions to Munsiffships. Do you know any instances in which Eurasian candidates have been rejected or not appointed?—Yes.

262. Do you know of such?—Yes.

263. On what grounds, can you say?—On the ground that the appointment should not be given to them.

264. You know of such cases?—Yes.

Sir *Charles Turner.*

265. Of competent men?—In the case of one, a most competent man, who was afterwards

Sir *Charles Turner*—contd.

admitted into the Revenue Department, having passed his examination before appointment.

266. How long ago was that?—It was after you left the Court.

267. What were the grounds?—Simply that he should not get it, being a Eurasian, and that such appointments should be reserved for pure Natives of the Province.

Mr. *Ramaswami Mudaliyar.*

268. Was that the reason alleged?—That was the reason alleged.

Sir *Charles Turner.*

269. Was he informed of it?—I do not know. He was told his name could not be enrolled as a candidate. I do not think that reason was assigned to him. He was simply told he could not be enrolled as a candidate for the appointment of Munsiff.

Mr. *White.*

270. And that refusal was opposed to the Statute?—I thought so.

WITNESS VI.—*30th December, 1886.*

Examination of the Hon'ble AJUDHIA NATH, Member of the Legislative Council of the North-Western Provinces and Oudh; Pleader, High Court, Allahabad.

Sir *Charles Turner.*

271. You are now a member of the Legislative Council of this Province?—I have been practising in the Sadr Courts since 1863, and practised for two years before that in the District Court. I cannot say that I am a member of the Legislative Council. My name may have been sent up, but no sanction has as yet been received.

272. Do you know if the existing system of appointing Natives as Statutory Civilians to posts reserved for Civilians is approved?—It is a question that cannot be answered Yes or No. —Before answering the question I must submit one thing, that some of these points are very difficult to answer, and I ask permission to answer them frankly, although it may be rather an unpleasant thing from a Government point of view. —It is approved so far on the principle that something is better than nothing, but it does not afford sufficient satisfaction. When a gentleman is first appointed he gets Rs. 200 a month, which is not the maximum pay of a Tahsildar. When he has passed the examination he gets Rs. 250, which is the maximum of a Tahsildar, the minimum of a Deputy Collector. It was said he would then get two-thirds of the full pay of the post, but he gets only 64 per cent. The Uncovenanted Civil Service is divided into two parts, the Judicial and the Executive. In the Judicial, pay rises to Rs. 800; in the Executive it goes to Rs. 1,000. A Native appointed under the Statute would draw, roughly calculating, Rs. 800, while a European in the same post would draw Rs. 1,250; Rs. 1,000 would be drawn by the Native where a European would get Rs. 1,500; so that as compared with Civilians of from 12 to 20 years' standing, Statutory Civilians are in no better or worse position than Deputy Collectors or Subordinate Judges. These appointments are not left open to us in the same spirit that gentlemen in Parliament say, "we govern India for India's sake." I believe (it may be right or wrong) the object of this system was to get rid of the agitation existing for nearly twenty years, and what was practically done was, that so many more offices of Munsiffs, Deputy Collectors, and Sub-Judges were created. When we come to the question of promotion, it is an understood thing that we are not to get charge of districts; and we resent nothing more strongly than we resent this distinction. As long as we have this distinction, satisfaction will not be felt. Our great object is not to get money but to remove the distinction, and the Statutory Civil Service has not that effect.

273. Have you read the Statute?—Yes.

274. The Statute appears to contemplate appointment to particular posts?—It does. The appointment of a Commissioner is a post; the appointment of a Collector is a post.

275. The Statute provides for the appointment of gentlemen of proved merit and ability?—Before the new rules were passed I understood the Statute to mean that a member of the Uncovenanted Service who had distinguished himself in the service of the Sovereign was to get promotion; but look at the result. To promote a first grade Deputy Collector, you must give him the charge of a district; if you appoint a Subordinate Judge under the Statute, you can only give him promotion by making him a District Judge; and that is not done. The words of the Statute are to appoint none but men of proved merit and ability. That difficulty has been got over by creating the system of probation. Instead of testing the ability a man has shown in the discharge of his duties as a public officer you make him a probationer, and therefore the letter of the law is followed; but if a few members of the Uncovenanted Service were raised to the appointments to which they are entitled, then I believe most of the objections would be obviated or removed.

Sir *Charles Turner*—contd.

276. Would you have the power given to the local Government repealed entirely?—My opinion, after thinking over the matter very carefully, is this, that the only one means of removing all difficulty and dissatisfaction is to abolish all distinction between the Covenanted and the Uncovenanted Civil Service. Have one service, divide that into sub-divisions—Judicial and non-Judicial. Judicial includes those officers who have to decide civil and criminal cases; Civil, the ordinary civil and revenue cases. The non-Judicial I would sub-divide into two divisions—one Executive and one Administrative. The Administrative to include such offices as Governors-General, the Governors of Bombay and Madras, Lieutenant-Governors, the principal Secretaries to each Government, ordinary members of the Councils of the Viceroy and Governors of Bombay and Madras, and Chief Commissioners. I do not use the word Chief Secretary, as it is a technical term, but Secretaries. Take in the case of the Government of India—Home, Foreign, and Financial Secretaries, but not Legislative. Take local Governments and principal Secretaries. Secretaries must know the views of the various Governments, and for political purposes it might be necessary to keep those posts for Europeans. All other offices are Executive, and they should be thrown open to all Her Majesty's subjects in India. The administrative offices should be reserved for pure Englishmen—Natives of Great Britain and Ireland.

277. All Her Majesty's servants in India?—No; what I mean is this. His Honor the President, while putting the question to other gentlemen, spoke of natural-born subjects. That will include Cingalese and Africans. I have seen a case in which an African was allowed the right of a British-born subject—a privilege I do not possess.

Sir *Charles Turner*—contd.

Thers is no reason why Cingalese or Africans should be allowed to compete with us for these appointments.

278. What system do you advocate?—I would hold an examination in India, but it should not be open competition. I would not have a competitive examination in England even, if I could help it, as the Indian authorities are the best judges of the necessary qualifications of candidates. Indians think Haileybury Civilians gave most satisfaction. When we have open competition or a general examination, no regard can be had to the social position of a man or to his morals, and with a man of very inferior social position, no matter what his attainments may be, the old associations and the old ideas go with him, so that when he gets into power all of a sudden, at times he can hardly control himself. Hence I object to competition pure and simple.

279. Is that your experience?—Unfortunately it is.

280. With regard to the Civilians appointed in the early years of the competitive system, as well as to those in later years?—Yes; we were very fond of the Civilians of the old Haileybury School, and I am sorry to say that the result is not the same now with reference to the Civilians appointed by competition.

281. Then you would have a limited competition. On what principle should Government proceed?—On this principle—you take for your general protection the test, apply it to any of your Colleges and Universities, and then you may require, as you do in the case of Sub-Judges and others, some certificate as to their character and position in life. You are aware that when you were in the North-West Provinces High Court before people were admitted as candidates for the posts of Munsiffs and Pleaders, they were required to furnish a certificate of character.

282. But not of birth?—No; not of birth, of moral character. I know as a matter of fact that some attention is paid to the circumstance of birth when gentlemen are appointed to the posts of Munsiffs.

283. You say you would have this service recruited by a limited competition. Where should the examination be held?—In India.

284. In India only?—Undoubtedly. This is the place where people can know the requirements of the country.

285. And would you maintain the same standard as at present—would you make the examination identical in character with that which is now in force?—Of a different character. That is to say, I would not examine candidates for the Civil Service like school-boys, to test whether they know grammar or geography. That should be done during their academical career, but when they come up as candidates for public service, they should be examined in law and in rules; and as to their knowledge of the Vernacular languages, to ascertain whether they know the language of that part of the country to which they are likely to be appointed.

286. Would you have one examination for all branches of the service?—No; separate ones.

287. One examination for the Judicial?—The Judicial branch of the service must be recruited from lawyers altogether. Complaints against

Sir *Charles Turner*—contd.

that branch have greatly increased since you left these Provinces.

288. Of late years?—Of late years. The number of second appeals in the High Court in this year is about 2,300.

289. To what do you attribute the greater dissatisfaction that is now felt, as you say?—The feeling is, it may be right or it may be wrong, that those Civilians who are not considered fit to hold charge of districts are passed on to the Judicial Department.

290. Would you have your examination provincial or general?—Provincial.

291. On what ground?—That it is absolutely necessary that gentlemen who hold these high appointments should know the language of the country. There is some difference also in the education of the different Provinces of the country, and there is also some feeling on this matter: one does not like to enter into personalities in such matters.

292. What do you mean by feeling?—There would be some dissatisfaction if Natives of one Province get these appointments in another Province.

Mr. *Crosthwaite.*

293. Natives of one Province would not like to be ruled by Natives of another Province?—There is great brotherly feeling between the Natives of different Provinces, but it is better to be ruled by gentlemen who belong to the same Province. It is better to be ruled by a Native than by a European, even though the Native were a foreigner. Although they are in one sense foreigners, they know our ways and customs and feelings much better than Englishmen do.

294. Is that the general feeling or your own?—The general feeling, as far as I know.

295. Suppose your scheme was not carried out, would you abolish the existing Statutory Civil Service?—No; I would not, but I would change the rules, and not only the rules, but the mode of carrying them into effect; that is to say, that I would not have it settled by our rulers that, although there is a Statutory Civil Service, Natives of the country should not have charge of districts.

296. Is there any rule to that effect?—There is not, but it is understood. It is impolitic to say so in the rules. A great many things are certain about which there is no record in writing.

Sir *Charles Turner.*

297. Supposing the Statutory Service were retained, would you amend the provisions of the Statute in any respect?—These rules need not be laid before Parliament.

298. Is that the only alteration you would make in the Statute?—I do not know what is the object of keeping the words "proved merit and ability." It is not an enabling clause; it is a disabling clause. If an enabling clause, I would keep it, but as I regard it as disabling, I would reject it.

The *President.*

299. It simply says Natives of proved merit and ability. If you strike that out, I take you to mean you would appoint men whose merit and ability had not been proved?—The merit and ability must be proved.

The *President*—contd.

300. You would strike out the words "proved merit and ability"?—Yes; you do not require the words. The object was to exclude the greater number, and to confine it to a few favored ones, and therefore I would do away with it altogether.

301. But would you not have the words "proved merit and ability" made distinct, so as to admit only men of proved merit and ability?—There might be a separate clause which showed distinctly that it was not a disabling clause. I have no objection to that. I am only too anxious to have men of the Uncovenanted Service admitted into the Civil Service.

Sir *Charles Turner.*

302. Would not the omission of the words as you suggest lead to appointments from pure patronage?—That may be the case under the existing circumstances also. One cannot mention names; but when the system was first introduced, gentlemen were appointed to the service, because they were members of what were considered the Indian nobility—decayed nobility. I believe that was patronage pure and simple.

303. Do you approve of that?—No; with these words there was this patronage, without these words things could not be worse.

Mr. *Stokes.*

304. You say decayed nobility?—Yes.

Sir *Charles Turner.*

305. Would you alter the definition of the term Native?—No; I would not.

The *President.*

306. Would you exclude a person born in foreign territory in India in the Feudatory States—a Native of Kapurthalla for instance, or a Native of Rewah?—No; I would not.

307. Would you require them to go to England?—No; I would not require them to do anything of the kind. There is no object to be gained by requiring them to go to England.

Mr. *Ryland.*

308. Your statement that Natives are preferred to foreigners, carried to its extreme, would exclude all Europeans?—No; but when one speaks of classes, there are always exceptions to the general rule. One speaks of a thing generally. Any rule carried to an extreme would be almost an absurdity. It is the general rule. There are Europeans who form exceptions—but, as a rule, we prefer Natives to Europeans.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

309. You say you would not retain two distinct branches of the service, the Covenanted and the Uncovenanted?—No.

310. At what rank would your higher service commence?—From the post of Deputy Collector upwards.

311. You would not include Tahsildars and Munsiffs?—Munsiffs.

312. And you would go as far as District Collectors and Judges?—I think so, as far as possible.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.—contd.

313. Do you think that Englishmen of substance and of education or Natives would accept Tahsildarships to commence with?—They may.

314. Do you think we would get men of the calibre we require here, born and bred in England as gentlemen; would they come here on Rs. 200?—Englishmen, you mean? They might or they might not come. Perhaps they might not come.

315. Have you any doubt on that point, that they would come here to commence on Rs. 250?—Generally speaking, I think they would not come, but there are many who might be willing to come. I have known instances where the best educated Englishmen come to India on Rs. 250 as Professors.

316. Do you think they might come?—They might come; but if they do not come, it is because they can get better appointments.

317. Then you would commence the Civil Service from Tahsildarships?—I do not include Tahsildarships.

The *President.*

318. You begin with Deputy Collectors?—I begin with Deputy Collectors.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

319. You consider the post of a Tahsildar of an inferior character?—The post—Yes.

320. Do you consider this post easy and not responsible? Is it a less responsible post than that of Munsiff?—No; it requires less mental ability.

321. Less special training?—No; I do not say that; less intellectual ability.

322. What is the minimum pay of a Deputy Collector of these Provinces?—Rs. 250.

323. Then you would amalgamate the two services, Rs. 250 being the pay of the lowest grade. Do you believe you would get men who were born and brought up as gentlemen, to come out here for Rs. 250 from England?—They may or may not, as I said before, but the salaries of the different posts may be re-adjusted.

324. What is your opinion? What do you think?—Possibly they will. Possibly they will not. My opinion is that some will, but I am unable to say.

325. Then the appointments which you would reserve for the higher service are the Governors, Lieutenant-Governors, Chief Secretaries; they would be very few—would they not,—compared with the total number of the service that you would organize?—Very few.

326. Then the whole of the Judicial administration of the country,—Revenue, Judicial, Police, Customs, &c.,—would be in the hands of the Natives of this country?—Europeans too.

327. Very few Europeans?—The fewer the better for us.

328. Are not the European officers in the districts—Collectors and Assistant Collectors, ruling over or administering the affairs of large districts, now very few? Do you think you could find Natives to supply their places if you abolished the European agency in that large manner?—I have not been able to follow you.

329. In all our districts the Europeans administering the country are few, as compared

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur—contd.

with the population. There is the Collector and the Police Superintendent. I am speaking of one district. I suppose by the scheme you are advocating, you would dispense with the services of European officers altogether, enabling Natives to get the largest number of appointments—Executive appointments. Do you think you could supply the places of the present Collectors, their Assistants, Police Superintendents, &c., from Natives?—I have not the slightest doubt in my mind that we can.

330. You are of opinion that we should revert to Native rule and allow the British Government to hold the country with a few Governors and Secretaries. Is that your feeling?—Whatever may be the result, there is the scheme.

The *President*.

331. You would take the whole consequences?—Yes.

Mr. *Stokes*.

332. You are indifferent to the result?—I am indifferent to the result.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

333. Do you attach very great importance to the selection of candidates for these appointments and to its confinement to men of good birth and families? Are you aware that most of the old families are backward in education, and that the best educated men are from the lower ranks?—I think some of the best educated are members of the lowest classes.

334. Is it not a fact that in this Province all the ancient and noble families are backward in respect of education?—The facts are these: up to a few years ago they were very backward, but now they are beginning to appreciate the advantages of education, and one of my objects in this scheme is to give a stimulus to those families to send their boys to schools.

335. Does not that stimulus exist, now that those people who receive education are superior to them? If persons of the lower class are superior, why should you give the preference to young men of good birth?—What I meant to say was, that we should not introduce members from the lowest classes or the dregs of society. I did not mean that we should take the sons of the Indian nobility.

336. Do you know what influence a residence for some time in Europe has on the character of a man?—My experience is this, that sometimes it makes a man worse than he was before he went to Europe.

337. Have you been to Europe?—No; I have not been.

338. Are you of opinion that residence in Europe would not ordinarily improve the capacity for public service?—Not always. Sometimes a man remains what he was; sometimes he becomes worse.

339. You said that the Judicial service should be recruited exclusively from Barristers?—No; I did not say Barristers. I said members of the legal profession—Subordinate Judges, Pleaders and Barristers.

340. Do you not think that a Judge in India, where there is so much diversity of feeling and ace, and many other matters, ought to know

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur—contd.

something of society? Should he not know something of the Natives of India, which he can only learn by going about the districts—District Collectors, say, or men like that?—He should know something of the people, but I do not agree in the proposition that he can only acquire a knowledge by working in the district. I said that my scheme should be a provincial scheme,—for the people of the North-West in the North-West, for Bombay, in Bombay, &c.

341. You say Natives do not like to be ruled by foreigners?—Take a gentleman from Bombay, be he Hindu or Mahomedan. He would know more of the customs of Hindus or Mahomedans of India than a gentleman who comes out from England.

342. Then do you think that a man from Madras, well versed in Hindu law and other laws, would make a good Judge in Oudh, without knowing anything of the country or the people in Oudh?—He would make a very fair Judge; not a worse Judge than a Barrister, who does not know Hindustani, and has never been in the country before, makes in the High Court.

343. Do you think a good acquaintance with the country, the people, their habits, manners, and customs is not a *sine quâ non* to make a good Judge?—I have not said so.

344. Do you not think a Judge should know other branches of the administration, such as the Revenue, Financial, &c.?—He ought to know some branches, but he need not know the administrative system altogether. As a matter of fact, you have posts of Judges filled by lawyers, and that is the best class produced in England. I would not like them to have the figure of Justice Blind as you say.

345. Would you prefer your own countrymen to foreigners? By foreigners we mean people not of India?—Yes.

346. Do you mean to say that a Parsi or a Pathan from Sind would not be as much a foreigner here as an Englishman who had served here for twenty years, and knew Hindustani? Would you prefer a Pathan from Sind or a Parsi from Bombay to this foreigner?—I would not replace a Civilian of twenty years' standing by a Pathan brought from Peshawar to-day; but take everything equally, Indians understand Indians better than other people do so.

Mr. *Stokes*.

347. Natives would never be contented if excluded from the higher posts—Commissioners, Deputy Commissioners, &c.?—No.

348. Do you mean they would not be discontented if they did not become Secretaries?—Not for some time; not until after I am dead.

349. How long is it since they thought they should be Commissioners, &c.?—Since 1858. When we could not get it, we submitted to the inevitable; then came the Proclamation. We then said, fulfil your promise.

350. But Her Majesty never said you could be Secretaries?—It said no distinction should be observed.

351. Would you be content to do without the Secretaries' posts?—I would not have a revolutionary reform. The reason is this, that the Secretaries must know what are the so-called

Mr. *Stokes*—contd.

political reasons for certain rules, and certain orders of Government; and it may not be very desirable to let the Natives know that.

The Hon'ble Mr. *Quinton.*

352. May I ask of what country you are a Native?—I was born in Agra.

353. Are you not a Kashmiri Brahman?—Yes.

354. How long has your family been in this Province?—My grandfather settled here.

355. You said the highest pay of the Executive appointments was Rs. 1,000. Is it not only Rs. 800?—I believe there are one or two in that grade. I speak from memory. As far as I read the rules, I think there are one or two branches in the Executive which get Rs. 1,000.

356. As regards the Judicial Department, is not the Judgeship of the Small Cause Court at Allahabad held by a Native gentleman?—Yes. What pay does he get?—I do not know; it is somewhere about Rs. 1,250. I do not know whether Government would be willing to confirm a Native gentleman in that appointment. The present gentleman is officiating in that appointment.

357. For how long has he been officiating?—I cannot say for how long. For several months. It may be for a year. I cannot tell exactly.

358. Your objection to the Statutory Rules was that Natives were not to be put in charge of districts, and what is your ground for saying so?—I have been told so.

359. Who has told you that?—I decline to mention names.

360. Have any of the Statutory Civilians reached the time when they might be put in charge of districts?—No.

361. Then it is merely conjecture on your part?—It is not conjecture; it is information supplied to me.

362. I want to know how far that information is reliable. Is it one of your great objections to the system?—My countrymen say that, whenever one sees a European gentleman, if there is any conversation about this matter, that what is generally said is, "I have no objection to this, but your countrymen ought not to be in charge of districts." I have been told in so many words that these appointments will be reserved for Europeans.

363. Were you told that by any person who had reason to speak with authority?—Yes.

364. You also told us there was considerable discontent among the people generally. What class do you speak of?—Those classes who have received some education.

365. You are leader of the Native Bar of the High Court?—I cannot assume that position.

366. You at least have a leading practice there?—Yes.

367. And your professional vocation keeps you much at this station?—Yes.

368. What is the society you mix in at Allahabad?—I see hundreds of people who come to me, clients and so on, from different districts.

Mr. *Crosthwaite.*

369. You would divide the service into Judicial and non-Judicial. To which would you attach the higher importance?—I would attach equal importance to both.

370. I understand you to say you would reserve the Judicial appointments for members of the Bar?—Yes, for Subordinate Judges, Pleaders and Barristers.

371. How could you appoint Subordinate Judges if you reserve all the appointments for lawyers?—In time there would be nothing but lawyers, and Subordinate Judges are lawyers.

372. Virtually you would reserve all Judicial posts for professional lawyers?—Yes.

373. Can you tell me how many Pleaders pass the Pleaders' Examination in the North-West Provinces annually?—Some hundreds.

374. Perhaps five hundred or six hundred?—This year the number of candidates is three thousand. About four hundred or five hundred pass annually.

375. Any of the gentlemen who pass that examination and are admitted to pleaderships you would consider eligible for the Judicial Service?—I would not. For this reason; our system of examination is this: Pleaderships are divided into three grades—the High Court and the higher and lower sub-grades. The examination for the lower sub-grade does not qualify for any judicial appointment, but the examination for the High Court qualifies for any appointment, as far as a man can get it. Pleaders of the High Court, decree-writers of the High Court, assistants of the High Court, Munsarims of District Judges after three years of service in that post, are eligible for the post of Munsiff, if they have also passed an examination for the Upper Subordinate grade.

376. Is it for that class you would reserve the appointments?—Yes; and I would not object to the standard of examination being raised.

377. If the standard was raised or remained as at present, those who passed in the higher grade would be eligible for judicial posts?—Yes; and also members of the English, Irish, and Scotch Bars.

378. Is any social qualification required from candidates for Pleaderships of the higher grade?—No; not for the Pleaders' Examination.

379. Or before a man can become a member of the English, Irish or Scotch Bar?—No.

380. Then for the Judicial Service you would require no social qualification, but for other branches you would?—No; if I had to draft the Rules I would draft it so as to obviate all those difficulties. Social position I would define.

381. A man who keeps a shop, is he in a low social position?—There are shops and shops; Messrs. Ralli Brothers I would not exclude; but a man who sells parched gram I would. Whenever you fix a rule you have to draw a line somewhere, and that line is more or less arbitrary; and when rules are drafted more attention is generally given to accuracy of expression than is paid to it when a subject is discussed orally. I would have some guarantee as to their moral character; that is all.

Sir *Charles Turner.*

382. You say some of the Pleaders are appointed Munsiffs: does that system work well?—Yes; they are better lawyers; there are others who are appointed from offices who can carry out the routine rules better than Pleaders, looking after office registers, and so forth.

Sir *Charles Turner*—contd.

383. So far as honesty goes is there any distinction ?—No.

384. The former system was to promote from the *Amlah* generally ; the new system is that the only person eligible for promotion is the Chief Officer of the Judge's Court ?—Undoubtedly that is the better system.

385. Is there now less complaint of corruption than there was formerly ? Undoubtedly. It is believed that our Munsiffs are among the best Judges in these Provinces.

386. Is it not the case that many of the Munsiffs are men who have taken degrees ?—Yes.

387. And who have a much better general education than their predecessors ?—Far superior.

388. Has not the knowledge of English been considered as entitling a man to selection ?—Yes.

The *President.*

389. May I ask your age ?—My age is about forty-six.

390. You must have seen a great many changes in India in your time ?—I have.

391. Have those changes been in the way of improvement ? Has the country progressed ? Are there more schools, more hospitals, and better administration ?—Undoubtedly.

392. To what would you attribute this improvement ?—To the desire of the British Government to do all they can for us as long as the interests of Englishmen do not clash with ours.

393. These improvements are clearly associated with the British administration ?—Undoubtedly.

394. Do you think those improvements would have been made if the administration had been less distinctively British ?—The same progress generally would undoubtedly not have been attained under the old Native administration.

395. Notwithstanding this, to carry out your theory, you say you would substitute Native rule and take the consequences ?—No ; I say the Natives should be admitted into the service under British rule.

396. Let us take the British Army. If Natives were substituted for Europeans to the great extent you propose, what would you do with the British Army ?—If you mean that Native Government should be substituted for the British Government, I did not say so ; nor that Native officers should be substituted for British officers in the Army ; that is not the subject of this enquiry. I did not say that there should be a Native Government. I said that Executive and Judicial appointments ought to be held by Natives. The British Government ought to remain here. The Governors, Lieutenant-Governors, and so on, should remain here.

397. You say the aspirations you have described date from 1858, the date of the Proclamation ?—Yes.

398. You are aware that that Proclamation makes no distinction of class ?—No distinction of class.

399. At the same time, in your scheme you would exclude shop-keepers, for instance, from certain offices. So far your scheme is a departure from the spirit of Her Majesty's Proclamation ?—The Proclamation refers to distinctions ; but I do not understand the Proclamation to say that any man of any qualifications can be appointed to any post.

The *President*—contd.

400. Will you kindly read the Proclamation ? I have not got it. (Read by *President.*)

Extract from the Queen's Proclamation, dated 1st November, 1858.

And it is Our further will that, so far as may be, Our subjects, of whatever race or creed, be freely and impartially admitted to offices in Our service, the duties of which they may be qualified by their education, ability, and integrity, duly to discharge.

401. You distinctly propose to exclude people on account of their descent ?— As I read the word "descent" it is the same as nationality ; that is to say, one man is born in England, he comes out and lives in India, has a son born to him, he marries a Native lady : they are all included.

402. Would you exclude the son of a village patwari ?—If I could I would exclude every patwari in the country.

403. Do you wish to give evidence on any other point ?—Yes ; about salary.

Mr. *Nulkar.*

404. I suppose you are aware that the service is open to every British-born subject. Are you aware that under this system there is no distinction of birth in the case of an English shopkeeper, or one who holds the same position as a parched-gram-seller here, on entering the service ? Are you aware of that ?—Yes.

405. Can you conceive the possibility of such a man coming out from England ?—Yes.

406. But you would exclude him ?—Yes, whether the examination was held here or elsewhere.

407. Are you aware that in the North-West Provinces men who pass the University examination can and do claim admission to the judicial posts and rise to high offices ? Is there any distinction made as regards their fathers' or uncles' social position now ?—A distinction is made for judicial appointments.

408. Supposing a Bachelor of Law has for his father a shop-keeper or a man to whom you have just objected ?—As a matter of fact you cannot find one among the Munsiffs like that.

409. Are there among them any men in the High Court to whom this objection would apply ? —I am not aware of any.

Sir *Charles Turner.*

410. Is it not a fact that for ten years after the High Court was established, those Pleaders were selected who were considered the best qualified ?—Those Pleaders were selected who were considered the best qualified ; but they had to produce a certificate as to their character before they were examined. When I went up I had to produce a certificate that I was a member of a good family. Probably since 1866, there has never been any enquiry as to the birth of a man.

The Hon'ble Mr. Justice *Mitter.*

411. You have had before you as a vakil of the High Court, the judicial work of both the Covenanted District Judges and also of the Subordinate Judges ? Will you tell us the result if

The Hon'ble Mr. Justice *Mitter*—contd.

you compare the one's work with the other, in your opinion ?—One can only speak generally, but I believe the work of the Subordinate Judges is the better. I believe the percentage of cases in which the decisions of the lower Courts are interfered with is larger in the case of District Judges than in the case of Subordinate Judges. I have not compared the figures, but it is the general opinion.

Sir *Charles Turner*.

412. What is your opinion as to salary ?—That it should be equalized.

413. You would give the same salary to persons holding the posts of Covenanted Civilians, whether recruited in England or in India ?—Yes; and I would apply the same furlough rules.

414. Would it be fair to the country to do so ?—I do not see why it should not be.

415. Would it not in the case of Natives be in excess of any reasonable requirement ?—Unless that is done the status of Native Civilians or Statutory Civilians would not be equal.

416. Then on the ground that there must be equality between two persons holding the same post, you would wish the same furlough rules, although it would entail additional expense on the country ?—I do not understand additional expense.

417. The more furlough you give an officer the more expense to the country. The man who acts for him would have to be paid. You have to give the officer absentee allowances, and for a time you deprive yourself of his services ?—That is so, no doubt.

418. Do you not consider the salaries of the Covenanted Civil Service would be too high in the interests of the country, if all the posts held by Covenanted Civilians were held by Natives ?

Sir *Charles Turner*—contd.

Would not those salaries be higher than are required to obtain competent officers for the posts ?—The argument in favor of giving smaller salaries to Natives is this, that Europeans when they come into the country do so at some personal sacrifice ; they leave their country, come to a bad climate, and leave their friends. That considerd ation would apply if it was compulsory for them to come out, but it is optional with them.

419. Is it not the case that the salaries are retained at the present rate so as to attract the best English talent ?—It may be so. I may mention that I have seen gentlemen of the best education come out to India on Rs. 250 and Rs. 400 as Professors.

420. There was a vacancy lately for the appointment of a Professor at the Muir Central College. Was that filled up by any gentlemen of the educational staff of this Province ?—No ; a gentleman came from Bengal. The members of the Civil Service get large pay, but members of the Military, Engineering, Forest and other branches do not. There is no reason for saying that members of the Forest, Engineering or other departments are less qualified or less educated than gentlemen of the other service. We had at one time Dr. Anderson, an LL.D. of the University of Edinburgh. We have also had others, M. A.'s and B. A.'s.

421. Is there any other gentleman who obtained a high degree at an English or Scotch University ?—There are M. A.'s.

422. Have the classes you mention taken equal University honors with the Civilians ?—I am not aware.

423. I only wanted to know whether you had any knowledge of the extent to which any of those gentlemen who have come to this country have distinguished themselves at the Universities ?—No.

WITNESS VII.—*30th December 1886.*

Vol. II. Sec. II. N.-W. P.

J. Howard, Esq.

Examination of JOSHUA HOWARD, Esq., Barrister-at-Law, practising in the High Court, Allahabad, North-Western Provinces.

The Hon'ble Mr. *Quinton.*

424. You are a member of the Bar of the Allahabad High Court?—I have been for fifteen years in the Court at Allahabad. I have been resident in India, in other callings, as a merchant, &c., for fifteen years before that. I have lived thirty years in India altogether. I have travelled through India as far north as Peshawar. I went to Mirzapore in 1854, and have been in Allahabad since 1856.

425. You have taken a prominent part in the Eurasian and European question?—Yes, I have. I wish to add, in answer to that, that by saying I took a prominent part in that movement, I have not exclusively identified myself with the movement; that although it has fallen to my lot to take that part, I have, I hope, not identified myself with the movement to the exclusion of my interest and sympathy with other movements in this land. I am as much a friend of the Native proper of this country as any one can be, and have the friendship of the leading Native members of this Bar.

Mr. *Crosthwaite.*

426. Do you know anything about the Statutory Civil Service?—Yes; I do. I happen in my profession to have known one or two members whom I consider to be very distinguished members of that service, and who would be distinguished members of any service.

427. Do you think the existing system of appointing Statutory Civilians is approved?—I should hesitate to say. I do not think my experience would warrant me in giving an absolute answer. I should think the satisfaction is general, and there is no special objection to the mode of nomination. Any system adopted would be open to certain objections, and, in this respect, the system of nomination and selection is sure to be objected to by certain persons; but I should say the feeling generally is of satisfaction, though it is thought the system of nomination might be improved.

428. Can you tell us the grounds of objection?—It is considered there is too limited a a field of choice; that persons who choose to forfeit their independence, and curry favor with the authorities, get some preference; that is the objection at present in vogue; it is considered to be too much a matter of personal favor.

429. How would you remedy the defect? By amending the rules or by amending the Statute?—That is a very large subject. I should be very sorry to give an answer to that. That would be more in the scope of this Commission.

430. Would you amend the Statute in respect to the description of persons in whose behalf the powers may be exercised? Would you amend the definition of the term "Native of India" in the Statute, so as to include Europeans of any class?—I should; and I think that would give satisfaction to the Natives proper themselves. I think they would feel they were members of a larger service; that it was not intended as a piece of patronage, specially for themselves. I speak from personal experience of the Natives of India that they are not at all envious of having any special favor shown to them, but that they should be regarded as members of a nationality that covers every domiciled class that exists in this country.

Mr. *Crosthwaite*—contd.

Mr. *Ryland.*

431. Domiciled?—Yes; I use that expression advisedly.

Mr. *Crosthwaite.*

432. Why would you widen the definition so as to take in Europeans? I think within recent years—I speak with all deference before this Commission—there has been a growing feeling, within the last ten years, so far as I can ascertain, that the people of this country are handicapped for general employment by the great preference which seems to be given in nominations to persons from England; the domiciled Europeans come to think that they have not a fair chance in the race for public employment in this country, and therefore I should say the general feeling is in favor of restricting employment in the Statutory Service to persons and their families strictly domiciled in India.

433. If the Statutory Service is retained, would you require the selected candidates to go to England for training?—I should say so most decidedly.

434. You would make them go?—That is using very strong language; but if it has to be decided on Imperial grounds of expediency, I should say it would be an advantage to India and the service so great—the voyage to England and residence in its atmosphere—that it would be advisable it should be as nearly compulsory as possible.

435. Do you say that from experience of Native gentlemen who have been to England?—Yes; that I do. I speak strongly from my experience of a large number of persons who have had that advantage. It has given them a breadth of view, and emancipated them from a certain limited view which is incidental to life lived entirely in this country, and in the case of persons who have not had such contact with other Europeans as they would have by visiting England.

436. Do you not think they run a certain risk also?—I think not, if proper arrangements are made for their accommodation, and they are provided with a certain social atmosphere at home; that is, if they are looked after in the broader social sense they would not run any risk.

The *President.*

437. Have you met many Natives who have visited England?—Yes; I have met a great many.

Mr. *Ramaswami Mudaliyar.*

438. Have you heard any dissatisfaction on the ground that Natives are admitted only to particular appointments?—Very strong dissatisfaction.

Mr. *White.*

439. Do you not think that disregard of the claims of Natives of proved merit and ability has been a source of great dissatisfaction?—I think the Uncovenanted Service feel very strongly and keenly that they do not get fair play; that though the Statute includes that class, they are practically excluded. Mr. White asked me whether dissatisfaction was expressed with regard to that distinction, by members of that class who deem themselves excluded. I do not mean that Natives proper think it hard on the Uncovenanted Service that they should be excluded, as I have not had the advantage of hearing the opinions of many of such Natives of the Uncovenanted Service.

Mr. *Ramaswami Mudaliyar.*

440. As to men born in India, whose parents have been resident for a limited number of years in India: to that extent would you modify the Statute?—I think I said in my written answer the words "born in India" seem to me to make it imperative that persons should be born in India to come within that definition. It seems to me, as I read the Statute, that the word "born" has the place of something that is a *sine quâ non* and that a person born in England, coming to India, would not come within that definition.

441. You say the only way you can get admission is by currying favor. How would you remedy that?—As I said before, that is a very large subject, on which it would not be becoming in me to express an opinion. I think it is the purpose of this Commission that you should express an opinion after collating the opinions you may obtain. It has been part of my practice to speak only to my brief and within the four corners of it, and it is not within my power to give any opinion.

Mr. *Nulkar.*

442. Do you think that a domiciled European when he claims advantages, such as Natives of India can claim, should be considered as a Native in all other respects, or a Native so far only as the advantages are concerned?—I should abolish all distinction of that sort. Once a Native always a Native. That is very strongly and decidedly my opinion.

443. For all purposes?—I think for all purposes.

444. There should be one definition of a Native of India; that should include everything—all privileges, claims, and all else?—Most certainly.

Sir *Charles Turner.*

445. You understood the question?—I understood that what the members meant was—whether there should be any special privilege

Sir *Charles Turner*—contd.

retained for the person, domiciled in India, with regard to his original domicile which he had given up for a domicile in India,—whether he should retain that privilege while he acquired a domicile in India.

446. What are the special privileges to which you refer?—I am not aware of any in the Criminal Code, except trial by jury and *Habeas Corpus.* I should be sorry to express an opinion,—but I would rather do so than that it should go forth that I had not courage to express my opinion—as I understood the Hon'ble Member, he asked my opinion on that point, and I expressed it. It is impossible for any one to practise at the Bar for fifteen years without feeling very strongly on certain occasions that the Natives of India, in some respects, do not possess the same advantages that some Europeans enjoy—those coming within the definition of European-born British subjects. There are cases of occasional hardship where a Native feels he has not the same advantages or privileges; but these are matters that must be decided on Imperial grounds. I would, however, abolish this distinction as far as possible.

The *President.*

447. At the same time you are aware Statutory appointments are not restricted to Asiatic Natives?—I am not aware of any particular instances in which they have been given to others. As a matter of practice, under the large power conferred by the Sovereign prerogative, they are given only to Natives of India.

Mr. *Nulkar.*

448. You think all should be treated equally as Natives of India?—As far as lies in my power I would abolish all distinction.

449. I attach great importance to opinions coming from lawyers of your experience and general sympathy with Natives who have gone to England, and whom you have known. I suppose you have noticed the difference in their general character—is it an improvement?—It is so. What I find, if I may be permitted to express it here before so many gentlemen who have lived altogether in India, so remarkable between persons who have lived in this country and persons who have had the advantage of living in England, is that the latter come back with more liberal views; inclined less to take a restricted view, and not so uncharitable: not so ready to think evil of their neighbours, nor do they act so quickly on mere suspicion. They are healthier, broader, more sympathetic in their tone and views.

450. That is they approach nearer and nearer to the character of an Englishman in the general sense?—This is what I mean.

451. And for the Natives of India who aspire to fill the higher ranks of the service, it is necessary for them to go to England to have English training, as English candidates have, and in the same way as our Covenanted Civil Servants, in view to their improvement to the same standard?—I think it is not merely the circumstance of living in a particular place, and having a particular set of instructors about you; but I think there is something in a residence in Europe that constitutes a general atmosphere. I say it would be impossible within a short time to introduce all

Mr. *Nulkar*—contd.

these surroundings, which are very complex, and which you can only get where the mind is expanded by traditions of hundreds of years of civilization. There must be a transitionary period in a long training.

452. If the general Native character is to be improved and fitted to take the place of our present foreign rulers in larger and larger numbers, it is necessary for the selected candidates to go to England and live in that atmosphere for some time; is that your opinion?—According to the present state of progress in India, that is my opinion decidedly.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

453. Is there much race feeling between the different classes in this Province?—There is less in this Province than I find in other Provinces; but I am glad to say it is diminishing, but it is very strong in certain parts still.

454. What parts?—Parts peopled by strangers, such as parts of Behar; in the North-West, such as Gorakhpur. The feeling is very strong in consequence of the large number of planters. In every district, where there is a large number of planters race feeling exists very strongly. I understood the Hon'ble Member to ask me as to race-feeling between the different communities.

455. My question had reference to the Native communities among themselves: take, for instance, the Hindus and Mahomedans?—I should say, from my experience in this matter, that there is a strong feeling between the Hindus and Mahomedans owing to a variety of causes. The Mahomedans think they have not had fair play in the appointments they have received. They feel aggrieved by the difference in the grades of appointments held respectively by the two races, and because the Hindus, owing to their greater number, get more appointments, they think undue preference is shown to them.

456. These are parallel questions. Let us now take horizontal ones. Is this feeling less among educated than other classes?—Yes; very much so.

457. Then education does gradually wear away this feeling?—I think not only education but social intercourse is a very powerful factor. I have observed among those of higher education among the Hindus and Mahomedans, where they have frequent opportunities of meeting us in certain parts, that that feeling is almost done away with.

458. Do they ever meet socially, except on marriage occasions, in these provinces?—On occasions on which I have known them to come together; social entertainments where there has been no eating or drinking.

459. Do they mix together socially, or ordinarily, as you mix with members of your own community?—My experience as to their domestic customs in that way would not warrant me in giving an absolute answer. The feeling generally is not one of sympathy, that is to say, there is no sympathy; and where there is an absence of hostility, it is rather a negative feeling than a feeling of any positive kind. I think the members of the two races who feel most strongly about religious tenets have this feeling rooted in their nature by their respective religious creeds.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur—contd.

It seems to go beyond social matters; it is a feeling rooted in their religious differences.

460. You say that education is filling up the breach?—I think it is.

461. You mean to say that the educated among the Mahomedans and Hindus have much more sympathy and respect for each other?—That is the result of my general experience.

462. Do you think if a Mahomedan was a District Magistrate or District Collector, and there was a vacancy to fill up, he would be biassed, and in filling it up would look more to Mahomedans?—That would depend very much upon the man: if properly qualified, he would not regard race-feeling at all.

463. Suppose the qualification of his co-religionist was 14 annas in the rupee and a Hindu's 16 annas, do you think he would appoint the Mahomedan?—I should think a Mahomedan would be more likely to do that than a Hindu.

464. You say a Mahomedan would be much more likely, if a thoroughly educated man, to make an appointment of a co-religionist than a Hindu?—Among the educated there is no feeling of hostility, but proper feeling and regard for each other is, I think, wanting on both sides.

Sir *Charles Turner*.

465. You say you have observed a strong feeling of hostility between Hindus and Mahomedans in this Province?—Yes.

466. Have you seen any strong antagonism on the part of the inhabitants of these Provinces against those of other parts of India?—Yes; I think there is a very strong feeling in this Province that Natives of other Provinces should not be set to rule over them.

467. How have you arrived at that opinion?—By mixing with Native gentlemen not in service: Native gentlemen who are Hindus and Mahomedans of my profession. They seem to think Bengalis and Madrasis should not be employed in large numbers to fill appointments in the North-West Provinces.

468. There have been at the Bar of the North-West Provinces Bengali gentlemen of considerable ability and great popularity?—Yes.

469. And I believe it was contemplated at one time to appoint one of them to the Bench?—Yes.

470. Did you hear that appointment discussed by the Natives with regard to his being a Bengali?—Yes; there was a very strong feeling against it among the Native members of the Bar of these Provinces.

471. Although the gentleman held the appointment of Government Pleader, and was personally extremely popular?—Quite so, Sir; that is the fact.

Mr. *Crosthwaite*.

472. So far as you are aware, is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—There is a very strong feeling of dissatisfaction.

473. Can you tell us the grounds of that dissatisfaction?—The grounds generally are these. The first is that it depends very much upon the amount of mental capacity that they have to pass examinations, whether they come out as rulers to this country or not; and there is no

Mr. *Crosthwaite*—contd.

guarantee as to their moral strength and character; that is, the Natives view it as a mistake to bring out a number of officers for whose conduct there is no guarantee at all. There is another strong objection—the youth and inexperience of the officers. It is thought a positive infliction that this country should be ruled over by mere boys who come out here absolutely without any knowledge of men. It is said the present system ensures no such knowledge, and that it is absurd that the mere fact of attending a crammer for a certain number of years should by itself make a fit ruler of men. I may mention that I have frequently heard old Natives say that the members of the service who came out under the old system had quite a different tone to the Civilians who come out under the competitive system. They look back to the old days as days they regard very much.

Sir *Charles Turner.*

474. Did you hear that opinion expressed ten years ago, or is it recent?—I heard it expressed ten years ago more frequently than recently. I speak as a member of the profession, thrown into contact with all sorts of people. But I think there has not been a growth of this feeling during the past ten years on the part of the Natives, as they are looking forward to something more likely to gratify their natural aspirations.

475. Do you say you heard this expressed more frequently ten years ago than now—that the Haileybury men had more sympathy with the country than the men introduced under the competitive system, because the idea had not then taken root among the Natives that they would obtain something better? We do not hear that so often now, as they look forward to a better system than the Haileybury system, by having their own people sent to England.

The *President.*

476. Is there any other cause of dissatisfaction?—I am now speaking within recent years. I may mention that within recent years there has arisen a steady national feeling, so far as one can judge, among Natives, that as a matter of right they ought to have a greater share; and, in proportion as that feeling increases, they begin to make fewer comparisons between the old system they had and the new or competitive system.

477. Have you heard them complain of any disadvantages as between Natives and Europeans?—Yes; with regard to age. Natives think they should get an increase of two years, making the age twenty-one at least.

478. Any other disadvantages connected with the examination?—Yes; they think that they should have their own language prescribed in the test examination.

Mr. *Crosthwaite.*

479. Would you hold an examination simultaneously in India and in England?—I think there should be no examination in India. I would have the examination in England, I think, certainly.

480. Do you think the Haileybury men who came out were of younger or older age than those under the competition system?—I do not know if younger or older, but I know what I have said, as far as Native opinion goes.

481. That is not my question. Do you think they came out at a younger or older age?—I think they came out at an older age.

482. Do you know whether the men now selected for competition in England go to the University?—I know some of them have been.

483. Are there not some rules made by the Secretary of State to encourage them to go?—I believe there have been.

484. Has that had a good effect?—A wholesome effect.

485. Are you aware that the rules have been working for seven years?—Yes; but I do not think the Natives of India know it.

486. Do you know that most of the senior competitive men are University men?—I believe they are.

Mr. *White.*

487. You make a comparison between a Haileybury man and a competitive man. Of course in Haileybury there was a special training for the service in India; and when men came out are you aware they were detained in a Presidency Town for some time to learn the language, and be trained by intercourse with older members as to their duties?—That is what I meant when answering the question as to whether they come out older or not; that they were entrusted with duties at an older age, that they had a course of training that better fitted them to labor in this country as rulers of the people; that is what I meant, that they had those opportunities.

488. And you may also know that many of the young Civilians were sons of old Civilians?—Yes, there was a strong family connection.

Mr. *Ramaswami Mudaliyar.*

489. By having the examination in England, do you not think you would practically exclude the Indians?—I do not think so if facilities were offered for going to England. Many families without any advantages at all now send their children to England. That is a matter for this Commission to answer. If necessary, it would depend again upon the prosperity of the classes likely to fill the posts. I cannot express an opinion upon the point.

490. What objection would there be to holding the examinations here?—Before they do any work in India an English training is essential; that is what I mean.

Mr. *Nulkar.*

491. By confining the examination to England, is not the Native unduly handicapped as against the European?—I think he is handicapped to a certain extent, but advisedly handicapped, considering the circumstances of India at the present time. I am quite aware of that.

492. As regards the contrast you have been drawing between the old Haileybury men and competitive men, what is your opinion as regards any contrast between the men who went up when the age was twenty-three and when the age was twenty-one, and again with regard to men who go up when the age is nineteen?—If you ask my opinion generally, I cannot give an opinion as to the ages of twenty-one or twenty-three. My

Mr. *Nulkar*—contd.

experience does not go so far back as that; but as regards nineteen it is considered that some youths are sent out who are not of mature judgment—that is all.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

493. You suggested that the Natives should go to England to qualify them to compete there. You are aware that means money, either on the part of the parents or of the Government?—Yes.

494. Do you mean to say that Government at its own expense should send twenty or forty?—I never said anything of the kind. I never suggested it. I said if necessary—if those privileges are desirable—they should have a fair share of the advantages rather than that the whole country should labor under the disadvantage of having an examination in this country.

The *President*.

495. Did you say they were rightly handicapped?—I did say so; and, in the present circumstances, I think rightly so.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

496. Would you have any objection to an examination in India?—I said if the difficulty could be got over in that way, if they could derive all those advantages which training in England confers, after being nominated, all I should insist on is that they should have that training before being entrusted with responsible work in India.

497. The question of age being settled—say it was raised to twenty-one?—If they had the advantage of two or three years' training at home after they were twenty or twenty-one, I think that would be all that would be requisite.

498. There being an equal examination?—Yes.

The Hon'ble Syad *Ahmed*, Khan Bahadur.

499. Do you think two years' residence in England, after the competitive examination in India, is enough or not?—I should say, not. I do not think two years would be sufficient—not sufficient for the purpose which I deem essential, viz., the moulding the Native mind into European thoughts, especially if the successful candidates left this country at so late an age as twenty-one. Probably their ideas would then be fixed, and two years would not be enough.

500. Your opinion is that a two-years' residence is not sufficient?—That is one of the reasons why I did not deem an examination in India advisable, because if the competition was held in India the man's mind would be formed in the atmosphere of India; and if he did go to England for two years, he would not acquire that knowledge which a Native acquires when going home and coming out after five years. He would be more Europeanized by a five-years' residence than by three years.

Mr. *Peacock*.

501. Have you any reason to suppose that among the families of those who went to England there would be any objection on religious or caste grounds to their going there?—That is a large question to which I should not like to give an answer. Those with religious prejudices have very strong objections to their children going to England, but the more educated persons have not. A Native friend of mine had the advantage of an apprenticeship to a European friend of mine, and he is now an officer in the service; he did his work for him for two or three years before he was nominated, and the result was that, by contact with that friend, his mind was imbued with English ideas and a knowledge of English law to a degree which I should have thought hardly possible in a Statutory Civilian, but it was the result of those special advantages.

Mr. *Peacock*—contd.

The Hon'ble Mr. Justice *Mitter*.

502. You say you know some who have had the advantage of a residence in England, and that their views are more liberal and broad. Do you know at what age any went to England?—I do not know their ages, but in five-sixths of these cases their age was between sixteen and eighteen,—at any rate before their minds were quite formed.

503. As an advocate of the High Court I suppose you have had a good deal of experience of the qualities of the judicial work that is done by the officers in this Province. In comparing the judicial work of the Civilian or District Judges with that of the Uncovenanted Judges, for instance, what is your opinion as to their comparative quality?—I hope I shall not give offence in giving an answer. I should say that the result of my experience is, that Subordinate Judges in these Provinces, owing to their professional training, are better fitted to discharge their duties satisfactorily than persons discharging the functions of District Judges who are recruited from Magistrates and therefore have had exclusively to deal with criminal work, and that they afterwards discharge their work badly, not because they are inferior in ability but because they have not had the same advantages.

Sir *Charles Turner*.

504. What is your opinion of Native Magistrates as dispensers of criminal justice?—The advantage a European receives in training for the dispensing of criminal law is such that he would discharge the duties much better in consequence of that advantage, and the District Judge on the criminal side is very much better than our Native Magistracy could be, who have not had the same education and training. A Native Deputy Magistrate who was trying a case disbelieved a certain witness because he did not break down under the cross-examination of a very expert Barrister. He said that, in his opinion, that was the very test of the man's untruth. If a witness could undergo so severe a cross-examination by so expert a counsel, it showed that he was tutored, he said, from the very beginning. It is an absolute anomaly in our administration that men are given magisterial functions without any judicial training.

505. Do you think there is any difference in the capacity required in a judicial officer when he has to decide a civil case and when he has to decide a criminal one?—Yes; I do think there is.

506. What is the difference?—Civil law embraces very intricate rules on diverse subjects; criminal law is comparatively easy.

Sir *Charles Turner*—contd.

507. You think that it is more difficult to decide rightly a civil case than a criminal one?—I think so. I mean the civil law of India is much more complex than the criminal law. For instance, I have had cases in the Courts on the Divorce and Probate side, in which the Judge who tried them has been so completely incompetent that you might just as well have put a school-boy on the Bench.

508. In what Courts?—In the District Judges' Courts, where there have been Judges who have had no experience in the Probate Courts at home.

509. Is a Native Judge better acquainted with these matters?—No; not at all.

The Hon'ble Mr. *Quinton.*

510. Are these cases of frequent occurrence—Probate and Divorce cases? How many Divorce cases have been before the District Courts of these Provinces within the last year?—Four or five, whereas formerly there was only one in five years. In regard to Probate, I think, wealthier people have been dying who were domiciled in India, General Officers, &c., who, on account of exchange, &c., preferred to remain in India.

511. The Probate Act is not in force in these Provinces?—The High Court may grant probate to take effect throughout India. The District Courts grant probate in regard to effects within their jurisdiction. With reference to the distinction that the Hon'ble Member wished me to draw as to the way in which Subordinate Judges exercised their powers as compared with District Judges, I say that, although in civil cases Subordinate Judges do their work better than District Judges, on the criminal side the training of District Judges enables them to discharge their duties better. There are other branches of law in which the Judges of both services would be equally at sea, and there would be no distinction between them.

Sir *Charles Turner.*

512. You say you considered the law administered by the Civil Courts more intricate than the law administered by the Criminal Courts. Do you think there is any mental quality required in the administration of criminal law which is not so much required in dispensing civil law?—I think on the criminal side it is absolutely essential that a man should, in dispensing criminal justice, have that free air and healthy instinct acquired by training in England. The administration of criminal justice covers a wide field in this country, so that we cannot take too many precautions in giving a man a proper training for it. If a Mahomedan's case happens to be under investigation before a Hindu Deputy Magistrate, race feeling comes out very strongly, and the accused would rather be tried by a European Magistrate, or at any rate have the case inquired into preliminarily, before commitment, by a European than by a Native. The Natives seem to feel, without being able to assign any precise cause, that other Natives who differ from them in creed are prejudiced; and that they are absolutely safer before somebody not a Native of the country, where they would be sure of no bias one way or the other; and that they would prefer to have their case heard before one who had no knowledge locally of them whatever, rather than by a Hindu or a Mahomedan respectively. Their feeling always has been that the local atmosphere is not one in which to get pure justice.

Sir *Charles Turner*—contd.

The *President.*

513. Is it not a fact that the greater portion of the criminal work in the Province is done by Natives, the Subordinate Magistracy?—I do not think it follows that it is satisfactorily done: a man has not the advantage of being properly represented. As a rule, the men who have their cases decided by Deputy Magistrates, the junior Magistrates are not represented, or are represented by badly paid mukhtars, and they come off badly unless the Magistrate happens to be a man of experience.

Sir *Charles Turner.*

514. Do you consider the Magistracy of the present day more or less capable than their predecessors of ten years ago?—They are much more capable. I think they are better trained. There are, I believe, rules now in force by which a young Magistrate is placed as it were under the supervision of the District Magistrate, and I find the District Magistrates have a salutary influence over the country to a large extent, and see to their Magistrates and Deputy Magistrates doing their work properly.

515. Then it is not on the ground of their incapacity that objection is taken to the present Civilian Magistrates?—Not at all.

516. Several of our District Judges have had experience as Revenue Judicial Officers: have you heard any complaint made about them of inferiority or incapacity as compared with the Haileybury Civilians?—None at all. Those District Judges (amongst the Judges in the North-West Provinces, at all events) who have had just a little experience, or gone in for some judicial training at home, are not so satisfactory as others. There are two or three Judges in this Province who happen to be Barristers also, but I do not think they are the better for being Barristers. What I meant to say was that the Natives of the country were regarded by the Haileybury men with a more paternal interest. There were formerly more administrators in touch with the people of the country.

517. Was that to be accounted for by the fact of their being members of families who had been connected with India for very many years?—That is so; and it is these larger matters which determine these particular things which I have spoken of.

The *President.*

518. I suppose you know there are a great many competition men who also belong to old families in India?—Yes; and I think we are all the better for it.

Mr. *Crosthwaite.*

519. When does the feeling date from?—I should say that for a short time after the Mutiny there was a dead silence; afterwards there was this sort of feeling.

520. A want of feeling. The old paternal aspect of the old Civilian, has that been lost since the Mutiny?—To my mind it has always been a matter of amazement that the Mutiny

Mr. *Crosthwaite*—contd.

should have produced so little permanent ill-feeling as it did. *I think that is accounted for by the fact that the Covenanted Civilians were members of old families who really identified* themselves more with the people of India.

Mr. *Ryland.*

521. You spoke of Deputy Magistrates as being inferior. Were there any Europeans or Eurasians in these Courts as Deputy Magistrates?—I only know of two or three Deputy Magistrates among Eurasians. From their previous training they have proved very efficient Magistrates. I am not talking of individuals or classes who have had a certain training, or of those who have not, but of Deputy Magistrates among the Eurasian and Uncovenanted classes before whom I have appeared; they have had the advantage of training and have done their work exceedingly well.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

522. You spoke of want of confidence; does that want of confidence arise from local feeling?—Yes.

523. Supposing there was a Mahomedan presiding in a Court and a Hindu had a case before him, would he ask for a transfer?—I had a case before me recently in which a Hindu Magistrate was trying a case—resolved to try it, and was doing so very favorably to the accused. Under instructions from my client I asked for a commitment to the Sessions Court. Generally I think there is a feeling of distrust with regard to local influence. My clients are not ready on oath to express feelings of distrust, but they think some one might go to the officer trying the case, and that they might be prejudiced. They have no absolute ground to go upon, but there is that feeling of distrust. They want to get away from the influence if they can. I hope that this feeling will die out in course of time.

524. We have advanced very far?—And very fast, I may add.

525. We have advanced in education?—But the people in this country who come to Barristers to advocate their cause do not belong to those families and classes usually.

526. All these posts—Deputy Collectors, Magistrates, &c.—are filled, generally speaking, by educated Natives, are they not? The majority of the posts?—You mean those of Deputy Magistrates?

527. Deputy Magistrates, yes?—Yes; as a rule they belong to good families. I do not know that they are always highly educated.

528. As compared with fifteen years ago, are they not better educated?—Decidedly.

529. Has this transfer of cases not increased within the last fifteen years?—Yes; I think there has been an increase.

530. Then why do you think the prejudice will be removed in course of time?—Because then the officials will go to England. I know Natives who have gone to England who have acquired the confidence of their fellow-countrymen as much as Europeans.

531. Do you think the going to England would eradicate all patriotic instincts?—I do not want these instincts to be removed, but to be modified. I think the going to England has an emancipating influence.

Sir *Charles Turner.*

532. Do you remember when the European Judgeship of Jaunpur was abolished?—Yes.

533. Do you remember that there was a very strong objection to its abolition on the part of the Native community?—That is so.

534. Do you recollect the grounds on which they objected?—As far as I remember they preferred having a European Judge over them. I think the people of this country have a very strong feeling that their own people, who have lived in this country altogether, are more liable to influences than Europeans. I know that is the common feeling in all the North-Western Provinces.

535. Do you know on what ground they object?—The grounds are various. I think they feel that an English Judge acts without reference to anybody or anything; that he is above influence of any kind. It is influence the people of this country fear very much.

536. Have you ever heard it said that the presence of an English Judge protected the independence of Native Judges?—I think it does from my own experience.

Mr. *Crosthwaite.*

537. With regard to the Uncovenanted Service, Mr. Howard?—I think the Uncovenanted Service should be recruited from a larger field.

538. You know the definition of "Native" under the Statute?—Yes; I do.

539. Would you recruit your Uncovenanted Service exclusively from Natives according to that definition, or would you widen the field of recruitment, so as to take in Europeans not domiciled in India?—That involves so many considerations. Supposing, as happens now, there were families in England not domiciled here, who send out their children to seek employment, or who remain here for a certain number of years but acquire no Indian domicile, that would open the door to patronage, and the opinion of Natives would be that the Government only gave appointments to those who had interest.

540. Would you recruit the Uncovenanted Service by competition—I mean Deputy Collectors, Munsiffs, Tahsildars and Subordinate Judges?—I think that a mixed system would be better. I do not believe in any particular system exclusively. I think there might have been many good men kept out had competition been the exclusive source of admission. Assuming that everything is done that ought to be done, this mixed system would give greater scope for action. I think we are in a great difficulty in India now, which taxes the mind a great deal, to determine what is best. The more diversity there is the better the result is likely to be.

541. Would you recruit for Tahsildars in one way, Deputy Collectors in another, and Munsiffs and Judicial Officers in another?—Yes, I would. Important jurisdiction is exercised in revenue cases, and it is necessary in such cases for a man to have some sort of professional training. A man whose duties are executive, and not involving a legal training, I think might be recruited by a mixed system of nomination and competition. In these Provinces the Revenue Courts exercise exclusive jurisdiction in a very large class of cases, where the rights of people depend on the justice with which these powers are exercised.

Mr. *Crosthwaite*—contd.

Deputy Collectors should have some sort of professional training. I do not think they have any at present, but they are all the worse for not having it.

542. A sort of training *plus* nomination?—I think they should have some training, but I do not believe in the efficacy of competition alone.

543. Would you recruit the Uncovenanted Service provincially?—In the present circumstances of India I would. I do not think the Provinces of India have yet all arrived at the same standard of advancement.

544. If the Statutory Service be abolished, would you give the reserved appointments to the Uncovenanted Service?—Yes, I would.

Mr. *Ryland.*

545. I believe you are of opinion that the Uncovenanted Service is at present not at all fairly treated. Do you think they have been excluded from office to which they might fairly aspire?—I think, in the interpretation of the term Natives of India, the Government did not give them all the nominations they might have given. I do not know of any officers of the Uncovenanted Service who have been nominated to the Statutory Service. Many of the appointments that used to be held by the Uncovenanted Service some fifteen years ago are now being held by Covenanted servants,—appointments such as Deputy Accountant-General, heads of offices, Secretariat, &c., formerly held by the Uncovenanted Service on Rs. 600 a month and over. Several of these offices have been abolished.

Sir *Charles Turner.*

546. You have as yet had no Native Judge permanently appointed to the High Court. Have you heard any opinion expressed as to the expediency of such an appointment?—Yes; very strong opinions. I think there can be no doubt about it; and I am speaking the sense of the Bar generally, that it would give great satisfaction if a Native Judge were appointed.

Sir *Charles Turner*—contd.

547. Have you heard any opinion expressed by residents—Barristers, such as yourself—as to the appointment of a member of the local Bar to a Judgeship?—I think we have been very badly treated. However, we are happy to find a qualified member of our profession on the Commission.

548. You have had a Native Judge officiating?—Yes.

549. Has that Judge enjoyed the full confidence of the public?—Yes; enjoyed very high confidence. I hope the Commission will take my answer in this respect absolutely without reserve. I say as a professional man, but without *esprit de corps*, that it is the feeling of all classes in these Provinces that that Judge has not only deserved but commanded the respect and confidence of all classes in this community.

550. And of all sects?—And of all sects. It has very much increased the respect entertained for the High Court that we have been able to have such a Judge.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

551. Why are you so much opposed to the competitive method of recruiting for the Government service?—I think competition is a mere test of mental quality. It does not ensure that a man will be very scrupulous in the discharge of his duties or above social influence, and is no proof of personal character.

Mr. *Crosthwaite.*

552. Have you studied the question of Pay and Furlough Rules?—Yes; I studied them particularly in the case of a Native Judge who was appointed to our High Court. The European members thought it very hard they should have to pay towards their pensions when a Native member had to pay nothing. It is not altogether the question of pay, but unfortunately in this country pay determines a man's social status. I think it is a hardship also. The Native Judge should not get the same pay.

WITNESS VIII.—*30th December 1886.*

T. Beck, Esq.

Examination of THEODORE BECK, Esq., B.A., Principal of the Anglo-Oriental College, Aligarh, North-Western Provinces.

553. In reply to the President, Mr. BECK said: I am Principal of the Aligarh Anglo-Mahomedan College. I have been so for three years. I am a graduate of Cambridge. I have been in India three years altogether. I do not speak Hindustani fluently. My communications are chiefly with English-speaking Natives.

The *President.*

554. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—I have heard a great deal of complaint against the selections actually made.

555. Is that dissatisfaction general among the classes with which you have been able to communicate?—I do not think I have ever heard any satisfaction expressed with the system. Whenever I have heard anybody mention this subject there has been some disapproval of the selections made. There has been no disapproval of the system.

556. Do you know how many Statutory Civilians have been selected in the North-West?—No.

557. Have you heard any dissatisfaction expressed as regards absence of qualification in the man appointed, or want of social position?—Yes; with regard to both. I am acquainted with one member of the Statutory Civil Service.

558. Have you heard any dissatisfaction expressed as to the Statute under which they are appointed?—No; I do not think anybody who spoke to me knew anything about it.

559. Have you heard any dissatisfaction expressed because the men were not admitted to the regular Civil Service but appointed to posts only?—No.

560. Have you anything to suggest in respect of the mode of recruitment by which the objections you have heard could be removed?—I have prepared a scheme.

561. On the assumption that the Statutory Service is retained, how would nomination be regarded by influential sections of the Native community in your Province?—As the only satisfactory method, provided the appointments were to their taste.

562. Would a system of nomination, with or without probation, be likely to secure well-qualified persons?—This is a difficult question to answer. Past experience in these Provinces has been discouraging. The almost insuperable difficulty we have to deal with is that so few Englishmen live socially among the people, know their inner feelings, and are well acquainted with the character of individuals, their social position and the light in which they are held by general society. The knowledge possessed of young men who are candidates for these posts is often of the most superficial and unreliable nature. I believe matters are made worse by a tendency to judge of Native opinion by the utterances of

The *President*—contd.

the Native Press, which, representing a small minority, in many cases systematically misrepresents the true sentiments of the vast majority in order to further the interests of that minority. The Native Press in the North-Western Provinces is conducted chiefly by Bengalis, and it is to their interest to paint India in democratic colors, to under-rate the influence of old families, and, by advocating purely examinational tests, to promote the interests of their own body. When the Native Press becomes catholic and imperial, it may perhaps be taken as a safe guide; but till then personal sources of information are indispensable. I am convinced that the want of social intercourse between Englishmen and Natives of India is at the root of a very large amount of the political discontent in the country; and that it accounts, not only for our failure in securing suitable men for the Statutory Civil Service, but for the profound suspicion with which every act of Government, however benevolent, is regarded. If an Englishman do not himself move among the people, he must content himself with knowing those only who make their way to him; and I have observed that, as a rule, those who thrust themselves forward most are the least admirable and disinterested members of the community; while the best and most reliable men are often most retiring. However, many Englishmen do mix among the people, and know them well; and if the knowledge they have acquired could be utilized, and men could be more encouraged to make themselves proficient in this kind of knowledge, and if good principles for making nominations were laid down, there is, I think, every reason to believe the Government could secure well-qualified officers. I see no reason why, if proper precautions were taken by Government as regards family, character and attainments, and if the candidates were sent to take their degrees at an English University—the posts being made equal in value to the covenanted posts—the Statutory Civil Service might not prove more competent and more popular than the open competition in England. I think Government should spare no efforts in trying to produce this result; for if a more efficient and more popular method of introducing Natives into the Civil Service than the open competition in England could be devised, we should be free from the very great disadvantage of being hampered in our choice of English Civilians by considerations that have no bearing on the matter.

It seems to me very important that in any system for recruiting the Civil Service from Natives, we should not adopt any means which would interfere with whatever methods we may think most desirable for securing the best Englishmen for the English part of the service. It seems to me that at present these two questions have become a good deal mixed up, and that we

The *President*—contd.

have adopted a method by which we get worse Englishmen in the Civil Service, in order really to exclude a good many Natives, and we are very much hampered in adopting any other method. [The *President* having pointed out that the witness was going beyond the scope of the inquiry,] I wanted to say that I think it very important that we should try all we can to improve the Statutory Service, so as to leave the Government quite free, if need be, to deal with the English side of the question.

563. How would a system of limited competition amongst persons nominated for this purpose by the local Governments, or by the Universities, or by those authorities, concurrently or alternately, be regarded?—Favorably, if the nominations were made by the local Government. I think it would not do to entrust the Universities with this power. They would judge by purely scholastic attainments.

564. In preference to either of those systems (nomination or limited competition), would a system of open competition, pure and simple, for the Statutory Service commend itself to the Native community?—Most decidedly not.

565. Under any of these systems of nomination, limited competition and open competition—would you prescribe any tests of preliminary qualifications on the part of the nominees or candidates in regard to—(1) age; (2) intellectual capacity; (3) moral, social and physical fitness? If so, what should be the tests under each of the heads specified?—The posts should be filled by nomination by the local Government. Nominations should be conducted strictly according to the following rules:—

Two-thirds at least of the appointments should be filled in the following manner:—

SECTION I.

Section 1.—Government should inform itself of all young men of good old families who are receiving an English education.

Good old families are to be defined as families which for many generations have held, or held till recent times, an honorable social position, it being understood that among families of equal antiquity, those of the purest descent and highest caste rank first.

For this purpose it is necessary that Government carefully ascertain for its own guidance the best and most respected families in each district, information as to this being communicated by its officials, and derived by them personally from trustworthy and independent Native gentlemen, and not, as a rule, from subordinate Native officials.

Section 2.—Of such candidates it should be a necessary qualification that they have passed the F A. Examination of an Indian University; and it might be laid down that after five years the standard would be raised to the B. A.

Section 3.—From the list so obtained it will be necessary to select men of the strongest and most manly character and of the most gentlemanly manners. This can only be effected by utilizing the knowledge of reliable men who are intimately acquainted with the people.

Section 4.—If there remain more men of good family and good character who have passed the F. A. Examination than there be vacant posts in the Statutory Civil Service, preference should be given—

(*i*) to those of the highest educational attainments, reckoned in the following order:
(1) a degree obtained in an English University;
(2) the M. A. degree of an Indian University;
(3) the B. A. degree of an Indian University;

(*ii*) to good athletic qualifications of the sort that imply characteristic virtues, *e.g.*, to be a first-class cricketer and a good rider should rank as high at least as having passed the M. A. Examination.

The *President*—contd.

Section 5.—At least two-thirds of the men appointed under this section should be under twenty-four years of age, unless the candidate has taken his degree at an English University, in which case the age may be extended to twenty-six No restriction should be placed on Government as regards the age of the remaining third of the men appointed under this section.

SECTION II.

Section 1.—The remaining appointments, numbering not more than one-third of the total number, may be given to men of proved natural ability and high character, but who cannot boast of belonging to good old families. Preference should be given to men who have received an education in England, and to very promising students of the Indian Universities. Respectability of family should count for something.

Section 2.—The same conditions as regards age may be laid down as in Section 1.

Reasons for the above.

SECTION II.

Section 1.—*Meaning of the term good family.*—The nobility of a family in India is reckoned rather by the time that it has held an honored position than the caste to which it belongs. The Hindustani terms *nasab* and *hasab* serve to bring out the idea clearly. *Nasab* means pure descent; a poor Sayyid, whose descent is undoubted, has *nasab*. *Hasab* means social position, and may be due to official position, to wealth gained by an honorable profession, to land, or good manners. A noble family is one that has *nasab* and has had *hasab* for many generations. Of this class, among Mahomedans may be found old zemindars, possessed for many generations of considerable property, of the Sayyid, Pathan, Moghal, and Sheikh tribes; families of smaller proprietors noted for their learning; others, the descendants of celebrated saints; and families which have held official positions for several generations. Among Hindus are similar people belonging chiefly to the Rajput caste, and some families of Brahmans and Banias.

The chief criterion of nobility is the length of time a family has had *hasab*.

The wealthier members of these families have not yet taken up English education, but the more impoverished but almost equally esteemed branches have begun to do so, and Government could select many good men from among their ranks. If Government were to give them some encouragement, it might rouse up these noble old families from the inactivity and despondency which has overcome them.

Next in order come those families, not of high caste, therefore not possessing *nasab*, who have had *hasab* for several generations. Families of this sort may be found among Kayeths, Jats, Kurmis, &c.

Members of both the above classes of families should be considered eligible for the Statutory Civil Service. They possess immense latent political power, out of all proportion greater than that commanded by the English educated classes who absorb public attention.

Next in the social scale come those who have *nasab*, but not *hasab*. Among Mahomedans may be taken as an example poor men of pure Arab blood. No great dissatisfaction will be felt if such men are given high offices.

Last come those who have had *hasab* for one generation but have not *nasab*. Among these are reckoned many men promoted by Government from a mean position to high posts, men of low origin given estates after the Mutiny, and others. These men have very little influence with the people.

Desirability of appointing men of good family.—It seems to me of the utmost political importance that Government should strengthen itself by enlisting in the public service the men who have a great control over the hearts and swords of the people. In India the only way of commanding the loyalty of the people is through their natural leaders. We cannot as in England reach them directly. If there were a mutiny to-day a great many of the present servants of Government, far from being able to check, would only share in the panic. It has a very exasperating effect on old families who, by their character and traditions, possess a hold on the popular mind to see themselves passed over by up-starts, often wanting in ability, being put above them. The people who have great influence in the community are of two sorts: *first*, men of old

The *President*—contd.

family, who gain it easily; and, *secondly*, men of great natural ability who acquire it with difficulty. But inasmuch as the former are the more numerous,, the majority of appointments should be given to them.

In the second place, appointments of men of good family would be very popular among the people. It is believed by them that men of low origin, when elevated to positions of power, are apt both to be extortionate and to take bribes, while men of good family are, to a large extent, restrained from so doing by sentiments of honor. Again, the present miserable condition of many of the noblest families of India appeals with great pathos to the popular heart, and is a cause of disloyalty.

Thirdly, it is my belief from my own limited experience of men of both classes, that in the essential virtues of honor, courage, trustworthiness and self-respect, men of old family in India are, on the whole, though not invariably, much superior to those of mean origin.

Section 3.—I cannot express in too strong language my distrust of the examinational test for positions of high executive responsibility in India, or my belief in the necessity of good reliable personal information about the characters of the men. No mechanical test will suffice.

From observation of the young men who have come under my notice, it seems to me that a purely intellectual test or an examination would lead one into the utmost error as regards selecting men as qualified for executive posts. Several of the boys I have under me would, I am sure, do extremely well in situations in which courage and command were required, who have a natural power of commanding their fellows and inspiring confidence. As a rule, they do not shine in examinations, although they possess good intellectual ability. There is also a class of student who is gifted with a very good memory, and an immense capacity for acquiring knowledge, but lacking, to a degree I have never seen, in higher qualities of character and backbone. This class of students do extremely well at examinations.

Section 5.—I would lay down no strict rule that candidates must be under twenty-four when appointed, but would take precautions that the majority should be. The number of men well qualified for these appointments in India is, I believe, so small that it may often be necessary to secure them at an older age. This is especially the case at present, as the men of good family who have received an English education have often begun at a much later age than is usual. They are even now only just beginning to take up English education.

In the case of Natives who have taken their degrees at an English University, the age might be raised to twenty-six, because it would be unnecessary for them to undergo any special training in England.

SECTION II.

Section 1.—The object of this section is to open up a career for men of unusual talents. Such a career was always possible in old India for men of genius.

566. Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training?—Yes; in the case of those who have not taken degrees at a University.

567. Should the special training be carried on in England or in India?—I think it is most desirable that candidates after selection should be sent to England to study. They should pass at least three years at Oxford or Cambridge, and should be bound to take their degrees. From some experience I am fully convinced that a residence of some years at Oxford or Cambridge has a very beneficial influence on Indian students. It tends to give the character that strength, independence, manliness and self-confidence which is necessary for high executive posts, and which is so rarely found in India. It enlarges the intellectual scope of the student, and it puts him in sympathy with English people and with English methods of administration. It makes possible, moreover, that constant social intercourse and homogeneity which it is so desirable

The *President*—contd.

for the Civil Service to maintain among its members. Without some such breaking down of the barriers which education now places between Englishmen, Hindus and Mahomedans, it seems to me vain to hope that a Civil Service composed of such heterogeneous elements could work harmoniously. I would not make this rule absolutely binding, so as not to exclude Hindus of noble family who were unwilling to break their caste, and also older men; but I would rule that the exceptions to it must not exceed a certain number, say thirty-three per cent.

568. If the special training be carried out in India, would it be possible, and if possible, advisable, to establish an Indian Civil Service College on the basis of the Haileybury Training College, which formerly existed in England?—Most inadvisable, in my opinion. I think it would be a complete failure. Many of the Wards' Institutions have proved such. The pressing need of young men in India is to enjoy a much larger and fuller social life, whereas the proposed college would only restrict the little they now enjoy within narrower compass, and would encourage noxious feelings of conceit.

569. Are you in favor of establishing scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service?—I am in favor of scholarships being given to such selected candidates for the Statutory Service as are of noble family, and have good intellectual attainments, but who are too poor to go to England to carry on their studies. I think this necessary because the noble families have been so reduced under British rule, that Government cannot afford to restrict itself to the well-qualified men who are wealthy if it wishes to obtain good Civil Servants; and moreover, because the wealthy families have not taken up English. These scholarships should not be less than £200 a year. As regards the open competition in England, I do not think there is the same necessity of giving scholarships to candidates. A large number are ready to present themselves, and it is quite likely that public funds may be raised to enable promising boys to go and compete.

570. If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent?—By Mahomedans certainly. The desire in young Mussalmans to see England is approaching a passion in intensity.

Mr. *White.*

571. Would you make provision for the promotion of men tried in the Uncovenanted Service to the Statutory Service?—It seems to me that it would be an extremely good thing if it could be done, but I am not prepared to propose any details as to how it should be carried out. I would certainly provide for it.

572. That is to say, for men, no matter what their family was, whose merit and ability are entirely proved in a course of service more or less extensive?—Yes.

573. Does it not appear to you that the scheme you have proposed is more calculated to promote old families than to meet the requirements of

Mr. *White*—contd.

Government?—My scheme was conceived for the benefit of Government, because I believe that the members of the old families will be the most trustworthy servants of Government.

574. That would be after a pretty long period considering that they would not take advantage of the educational system?—There are a good many here and there who have done so.

575. And in the meantime how is the Government service to be carried on?—If Government cannot find enough of them it must recruit from outside.

Mr. *Ramaswami Mudaliyar.*

576. You came to India three years ago?—Yes.

577. And during those three years have been in Aligarh?—Yes; I have only lived in Aligarh, but I have travelled about here and there.

578. You do not know any of the languages of the Province?—I know a little Hindustani.

579. Do you think you could converse with a countryman in Hindustani?—I could not discuss politics with him, for instance.

580. About his crops then?—No; I could not discuss the state of his crops either.

581. In fact, you could not have a pleasant chat with him owing to this difficulty?—I have had a few pleasant chats with Natives, but on different subjects.

582. I mean your knowledge of the Vernacular is not sufficient?—I don't know enough to enable me to talk freely with any class, but the class I talk best with is the cultivated class. I have a good deal to do with people who do not talk English, and constantly talk with them, sometimes through an interpreter and sometimes directly. I have seen a good deal of the old-fashioned Mahomedans.

583. And do you now express their sentiments as regards these matters, or is it your own personal opinion?—I have formed my personal opinions by conversations every now and then with educated people and by using my eyes as much as possible, and also by studying the character of the people who come under my observation.

584. Have you had intercourse with Native officials at all?—A good deal.

585. Are there many Native officials in Aligarh?—A great many are constantly coming there. I refer to Mahomedan officials, but I have friends among the Hindus also.

586. Have you formed your opinion as to their character?—Yes.

587. What is it?—because in some of your answers you speak disparagingly of officials?—I certainly think the unofficial gentlemen I have met more trustworthy authorities as to official excellence than some officials.

588. Have you met any Bengali officials?—Not many.

589. Have you spoken to people about what they think of Bengali officials—for instance, in the case of Bengali Judges, the suitors who resort to their Courts; or in the case of Bengali Revenue Officials, the people who have to do with them?—Yes.

590. And what did they say?—Well, some of them have a very good character for legal ability, but, as a class, they are not popular in the North-West.

Mr. *Ramaswami Mudaliyar*—contd.

591. Not popular with the masses?—With all people I have come across.

Mr. *Nulkar.*

592. I suppose during your stay in India you have become aware of the great strides education has made in India?—Yes.

593. How would your proposal of confining the Government patronage to scions of old families answer, seeing the progress of education all over India in all classes of the people, particularly the middle and lower classes? How would it be good for Government itself?—From what I have observed of the people of India the country is intensely aristocratic in feeling, and there is an intense regard for men of old families, even among the educated people; and I am perfectly certain that throughout the masses, in my part of the country at least, the real power lies in the hands of the old families, and that it would not cause serious dissatisfaction if these men are put into higher positions. But I certainly do not mean that you should absolutely exclude anybody on the ground of family, because if you look at India even in the past, you see that a man who was an oil-seller became a commander-in-chief, or a poor gardener became a king. I say, a door should always be left open for unusual talent, but that the majority of the officers should be chosen from old families.

594. Would not your scheme set the great majority of educated Natives against a small minority of educated men of old family?—I have made provision in the second section of my scheme for one-third of the appointments to be given to men simply on the ground of ability, apart from family considerations.

595. But is it proper that such an antagonism should be created between the two sections of the educated classes?—I do not think it matters much, as long as we have the whole country with us. I say the educated classes at present, so far as political influence goes, have no control over the country at all, and that it is better to satisfy the great mass of the people than a handful of educated men. Of course when they have increased to a great extent we can change our policy, as we must continue to change it as India changes.

596. Is your scheme suited to the presen wants of India?—Yes; as regards the North-Western Provinces. I don't pretend to know anything of the rest of India.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

597. Who are the people who, as a rule, receive high education under the present system of education in India?—The Bengalis chiefly, and among the Natives of these Provinces, those of the Bania and Kayesth class. I cannot say exactly what proportion they bear to the masses, but I know that an enormous number of the latter do not receive education at all. I do not know whether high education is making its way among them.

598. Do you think that the classes who go in for higher education in India properly represent the masses of the people of India?—No; I do not think so.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur—contd.

599. Would a Brahman take the same interest in the education of a tailor or of a carpenter as he would in that of his own class?—Certainly not.

600. Is it your belief that if higher appointments were thrown open to those educated Natives they would monopolise them to the exclusion of others?—Yes.

601. Do you think they bear an appreciable proportion to the population?—No; I think a very small proportion.

602. You say that the neglect of high families breeds disloyalty amongst those families and their followers. Do you mean disloyalty or discontent?—I mean discontent.

603. Is that feeling very general in these parts?—Very general indeed. There is very strong discontent, at any rate as far as Mahomedans are concerned, throughout the whole population.

604. Do you not attribute their neglected condition to their own neglect of their interests?—I attribute it chiefly to their neglect of English education.

Mr. *Stokes*.

605. Which is the highest caste in this province, among the Hindus?—From a worldly point of view I should say the Rajputs. I think they have the best worldly position.

606. I mean *caste*?—It is difficult to say what is meant by "highest"—whether highest social position or highest spiritual position.

607. I merely want you to explain the word *caste* in Section I of your scheme.—I mean these Rajputs as the "highest caste."

608. Do you think the Brahmans would admit that?—I should think so; but I do not profess to know much about Hinduism. I should not like to make a distinction between Brahmans and Rajputs—I mean the term includes both. I would use the word in its ordinary sense.

609. What had you in your mind when you wrote that?—My meaning was to distinguish men like Brahmans and Rajputs from Banias, and after them, Kayesths, and so on, and then at last to come down to *Chamars*; but as to the exact order in which these should be put a better authority than myself should be consulted. I merely wish to enunciate the general principle without setting myself up for an authority upon the exact order in which the castes ought to come. But the clear intention of my mind was to distinguish between the Brahmans and the Chamars.

Mr. *Peacock*.

610. You say there is a tendency among Englishmen to judge of Native opinion by the utterances of the Native Press. Where have you found that tendency to exist?—In talking to various Englishmen, and I think in the English Press also.

611. I refer to the English people whom you say judge of Native opinion in that way. Do you think you could name half-a-dozen Englishmen who have said so?—I think they are influenced by it. I think the Government itself is influenced by it to a larger extent than it would care to admit.

Mr. *Peacock*—contd.

612. In what way has that influence been manifested?—In dealing with the opinion of the country they attach more importance to the utterances of the Native Press than its actual importance deserves.

613. How is that tendency shown?—Many instances have occurred to me which struck me as being so.

614. Give us any one instance in which the Government has been guided in its action by what has been said in the Native Press?—I should say that the opinion expressed by the Government on the question of the freedom of the Press indicated that they imagine that the freedom of the Press is more valued by the people of India than it actually is. In this Province I believe that the majority of the people dislike the freedom of the Press very much. The Native Press, however, represents that if the freedom of the Press were stopped, there would be a revolution to-morrow. I do not believe that, and although Government does not altogether believe it, there is a tendency to attach more weight to it than it deserves.

The Hon'ble Mr. Justice *Mitter*.

615. Are you acquainted with any Hindu of high family?—Yes.

616. Is he a resident of Aligarh or where?—I know some in Aligarh and other places also among Rajputs and Brahmans.

617. Have you had any kind of social intercourse with such high families?—Yes.

618. Of what kind?—I have some among my own students who belong to these families. I have called upon some of these gentlemen, and once stayed at the house of one.

619. I suppose they did not use the words *hasab* and *nasab* to distinguish their family?—I don't know.

620. What words did they use?—I don't know.

621. Then how did you find out they were of high family?—Because they were commonly reputed as such.

622. You do not know then what words the Hindus use to distinguish their families?—I do not.

Sir *Charles Turner*.

623. You have given great weight to University education in England. Why?—People come back much more men, also much more self-confident.

624. And with an appreciation of the English system of administration?—Emphatically they become more English in tone of mind.

625. Do you then think it desirable that this country should advance in the direction of European civilization?—Certainly.

626. Do you think it desirable to continue the caste system of India?—No.

627. Would not the scheme you recommend have a direct tendency to maintain it?—I do not think so, because I think the question of family is quite distinct from that of caste.

628. I understand your suggestion to be that at least two-thirds of the appointments should be given to Natives of old family, and when you come to Hindus you explain men of good family to mean of "high caste?"—Not necessarily, because men of old family may be of very low caste.

Sir *Charles Turner*—contd.

629. You consider that a member of a new family of high caste is inferior in influence to a member of an old family of low caste?—They would come after old families of low caste. The great question is the age of the family. It is more important than caste.

630. Would not your system, as a general rule, have a tendency to perpetuate caste distinctions?—It would preserve the social distinctions perhaps. The social distinctions are somewhat apart from caste distinctions.

631. You say that you would give good athletic qualifications, which imply characteristic virtues, the same rank as an M.A. degree?—Yes; but they must be accompanied by educational qualifications also.

632. Your objection to open competition and to disregard of ancient family status is that you would not have administrators with sufficient independence of spirit?—Yes.

The *President.*

633. Is competition of Natives in the examination in England favorably looked upon by large and important classes in India?—Yes.

634. What class or classes of Natives in your Province readily go to England?—The sons of the upper official class among the Mahomedans. Hindus, also, have made a beginning. I know personally five Hindus of this Province who have gone.

635. Are objections entertained to going to England, and, if so, what are they, and by what classes in particular are they felt?—The objections entertained by Mahomedans have decreased to such an extent that we can afford to neglect them.

636. Should the examination for Natives in England be distinct in standard and conditions from that for English candidates, or should there be one and the same examination for all?—One and the same for all.

637. If a fixed proportion of appointments were allotted for a Native examination in England, do you consider that, in view of the objections against a voyage to England and life there, the cost thereof and the chances of failure, a sufficient number of suitable candidates from your Province would be available to make the competition a real one?—I think not yet.

638. Assuming only one examination for both English and Native candidates, do you consider that the subjects and standards of examinations and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates?—Yes; at a very great disadvantage.

639. In what respect are they placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage?—In the first place, I would not recommend that the disadvantage be entirely removed, as in that case we should, I believe, admit far more Natives of India than is politically desirable; but I would recommend that it be lessened.

To enumerate the present disadvantages of Native candidates they are chiefly these:—

(1) As boys they have to devote to the study of English the time that an English boy gives to Latin and Greek;

The *President*—contd.

(2) the teaching obtainable in India is much inferior to that obtainable in England;

(3) the expenses of the voyage and residence in England are in most cases prohibitive;

(4) the classical languages of the East are marked lower than the classical languages of England.

To lessen these disadvantages I would recommend—

(1) That Arabic and Sanskrit be marked the same as Latin, and that Persian be allowed and marked the same as French;

(2) that the limit of age be raised to twenty-one for both Englishmen and Natives. This would give more time for the study of the special subjects of the examination after English had been learnt. I recommend this with the greater confidence because what I saw at Cambridge of the working of the present system convinced me that the low age at which Englishmen are now selected has a bad effect on the quality of the candidates. As to the exact age which it is desirable to fix, I think this should be done cautiously, as it is impossible to say how many Natives may secure appointments under this scheme; and if we have the Statutory Civil Service and promotion from the Uncovenanted Service and the professions, it will be necessary to take precautions against the number of Natives bearing an unreasonable proportion to the number of Englishmen. I think, however, that the present conditions are so very arduous that they ought to be relaxed.

640. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—Certainly not. We should soon have far too few Englishmen in the service.

641. Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system, as introduced in 1855, to secure?—No.

642. Would an open competition in India be likely to give a decided advantage to any particular class or classes of the Native community over others?—It would give a very unjust advantage to Bengalis; unjust, because the British Government has been educating Bengalis for a much longer time, and it devotes annually a much larger sum for that purpose than it does to educating people of the North-Western Provinces. It is generally believed, moreover, that the Bengali mind, characterized as it is by a most tenacious memory, is better adapted for passing examinations than the more slowly-maturing minds of the up-country men. Though there is much evidence pointing this way, I am not fully convinced in the matter. The classes who would fare worst are Mahomedans and the upper classes in general, such as the Rajput aristocracy.

643. Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—Bengalis would predominate.

644. Do you think there are any objections on political or administrative grounds to open competition in India?—The predominance of

The *President*—contd.

Bengalis would have a very bad political effect. I do not wish to disparage the high qualities of Bengalis, their patriotic feelings for men of their own creed and race, their intellectual ability, their capacity for steady work: but I think they are not fitted to rule in Upper India. Bengalis are already employed largely in the North-Western Provinces, and are, on the whole, much disliked by the people, whom, it is said, they are in the habit of treating badly. The introduction of Bengalis as Civilians in the North-Western Provinces would seriously weaken Government, inasmuch as they would be very unpopular, and would have no influence over the people. And as they are, rightly or wrongly, regarded as deficient in courage by every section of the community—the poorest and most ignorant as well as the well-to-do—it is not likely they would be able to keep things quiet in the event of disturbances, such as occurred in Etawah and Delhi, or to crush an incipient rising.

645. What special provision, if any, do you think should be made for the appointment to Covenanted posts of deserving members of the Uncovenanted Service?—I think a certain number of posts should be reserved for distinguished members of the Uncovenanted Service.

The Hon'ble Mr. Justice *Mitter*.

646. You say that the Bengalis "are, on the whole, much disliked by the people whom, it is said, they are in the habit of treating badly": you say you have not had much intercourse with the masses generally: whom do you mean by "the people" here?—I mean all classes. I use the word in its general sense.

647. But you say you have intercourse only with educated men, chiefly Mahomedans you say?—I have a certain amount of intercourse with others. I have often talked on this subject with peasants, villagers and servants.

648. And they say they dislike the generality of Bengalis?—Yes; I have heard them say so.

649. What was the occasion of their saying so?—It is a subject I take a great interest in, because I think the people of this Province should be employed in it.

650. But was there no particular occasion which brought out this observation?—In the first place, there are a very large number of Bengalis employed as ticket-collectors on the railway. Nearly all the railway officials are Bengalis. I have heard from different people that they extort money from the passengers, and are unpopular with the people in that way. There are also a great many employed in the canals, and I have heard they are generally unpopular.

651. The enquiry which this Commission is now conducting is limited to executive posts simply—Magistrates, Munsiffs, Subordinate Judges, Tahsildars, Deputy Magistrates, and Deputy Collectors. Have you heard any complaint against Bengalis who have been appointed to any of these posts?—Yes; I have.

652. What is it?—I have heard a complaint that they do not treat the people nicely. I wish, however, to say beforehand that I am not making an indictment against everybody belonging to Bengal, because I know some excellent specimens in the North-West. I should be sorry to be understood as condemning the whole class,

The Hon'ble Mr. Justice *Mitter*—contd.

but, on the whole, I should say that in this Province they are unpopular.

653. What sort of treatment do you refer to?—Treating the people in a very haughty manner, in the sort of way that English people are sometimes said to treat them badly—only rather more so.

654. There are very few Bengalis in the services to which I have referred, and therefore if you say that they are in the habit of treating the people badly, you mean of course the majority of them?—I refer not only to Bengalis in high posts, but very largely to those in the lower posts.

655. Supposing your evidence is only limited to persons holding office as Tahsildars, Deputy Collectors and Magistrates, would you still say they were in the habit of treating the people badly?—I would modify my words in this way, that I used the word "people" in the general sense, and had in my mind such Bengalis as are employed in lower offices, and have direct dealings with the people. I should say they were very unpopular, and especially with the Mahomedans.

656. How many Bengalis do you know who hold posts in this service?—I don't know many myself.

The *President*.

657. I understand you to say that this impression is not derived merely from those employed in particular branches of the service, but that the general feeling is that the Bengalis do not treat the people properly, and that your opinion is based upon observations of people in respect of Bengalis generally?—Yes; but not merely those people in the offices in respect of which this enquiry is being held, but it includes them.

Sir *Charles Turner*.

658. Do you know of any Bengali gentleman who holds high office in this country?—I have met some and know one personally. He was much liked generally, but was regarded as an exception. It is not merely that they may not treat the people well, but they are out of sympathy with the people.

659. May it not be merely provincial jealousy which is the ground of this unpopularity?—I should say rather, that it is because they are different in manners and customs, and entirely foreign to the people, especially to the Mahomedans; Bengalis and Hindus can get on much better than Bengalis and Mahomedans.

660. Is it attributable to their advanced education?—No; their customs and manners are different; their food is different; in the minutest details of life the Bengalis are as much foreigners as we are.

The *President*.

661. Do you consider that a difference should be maintained between the rates of pay granted to Covenanted Civilians who enter through competition in England and persons holding covenanted posts who do not?—No; I believe the present two-thirds rule has a very bad political effect.

662. How far is the existing system of education in the higher schools and colleges of India

The *President*—contd.

well adapted for training young men for the public service?—Very badly adapted. It gives very little training to the character, and not very much to the intellect. The question of its reform opens up the great educational problems of India.

663. In 1854, Lord Macaulay's Commission were of opinion that the best, the most liberal and most finished education to be procured in England was a necessary qualification for admission to the Civil Service. Do Indian schools and colleges at present supply an education of so high a standard?—No.

664. Do you consider that Indian schools at present develop the force of character and other qualifications required for English administration?—No.

665. Do we now obtain for Government service Natives of the classes who, under Native rule, carried on the civil administration of the country?—Very little. This is a cause of great dissatisfaction. We give a charity education and elevate people of classes who in England would stand no chance. This may be in accordance with enlightened democratic principles, but it creates a great social upheaval.

666. And you would look for officials among the old families?—I would look for them among those classes who were looked upon as possessing the qualifications necessary for executive work. I would say that it is better to have a Pathan than a Bania.

667. Are the Natives who go to England from your Province for purposes of education limited to the wealthier classes?—On the whole, yes,—I know one or two exceptions.

668. Are they limited to any particular section of the community or to any particular creed?—No.

669. Does a voyage to, or residence in, England involve the loss of social position or other unfavorable consequences in the case of any section of the Native community?—I think social position is improved by it. It certainly is among Mahomedans.

670. Does it result in placing those Natives who undertake it more or less out of sympathy with their fellow-countrymen, on their return to India?—Yes, to some extent; but many of the Mahomedans with whom I am acquainted have regained touch with their community. It grows easier every year as more return, and as the number of English-educated people increases.

671. Would it be desirable to rule that the proportion of persons, being Hindus and Mahomedans respectively, who are from time to time, or over a series of years, appointed to the covenanted ranks in any Province, should bear a certain relation to the number of the two classes composing the population of the Province concerned?—It would be most undesirable and very unfair on the Mahomedans. It would be as absurd to restrict the number of Mahomedans on this principle as it would be to insist on a proper numerical representation of *Chamars*. The principle of proportionate representation of different classes in high Government posts is unworkable in India and is accepted by nobody. The Hindu community would be indignant at the idea of *Bhangis* and *Chamars* being represented

The *President*—contd.

in proportion to their enormous numbers. The principle would be ludicrous, even if applied to England with its comparatively democratic society. No one demands that the Home Civil Service shall contain a number of artizans proportionate to the numerical strength of that class in the country. It is necessary to see what classes of men have been in the habit of acquiring, and have grown dependent on, official employment. These are the educated classes, and among them we shall find a very large number of Mahomedans and men belonging to only a few of the superior castes of Hindus. If the system of numerical representation were adopted, there would be five Hindus to every one Mahomedan in the North-Western Provinces. The result would be the enormous political preponderance of Hindus and the practical extinction of Mahomedan influence in civil affairs. It must be remembered that Mahomedans ruled this part of India for five centuries, and are not prepared to accept a position of political insignificance. In physical force they do not consider themselves inferior to the Hindu community. If Government shut to them the door by which they may hope to gain legitimate influence, it will give a dangerous impetus to those with whom the idea of the *jehad* is not yet dead, and will discourage those who by their efforts to introduce English education are trying to extinguish that idea. If the Government of India is prepared to admit the principle of proportionate numerical representation as a sound maxim of political ethics in India, how will it prevent its being logically applied to Englishmen?—If not, why give it so much standing room at so much danger to itself? If any rule on this subject be laid down, it should be that all appointments should be evenly distributed between Hindus and Mahomedans in these Provinces, in which there is a large Mahomedan element.

672. How would you regard the following scheme:—

(1) The Covenanted Civil Service to be reduced to a fixed number of European officials, admission being by competition in England confined to European candidates only;

(2) the appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible?—With disfavor.

673. How would you regard the following scheme:—

(1) A certain number of appointments in the Covenanted Civil Service to be reserved for Natives;

(2) a certain proportion of that number to be filled by competition or by some other system in India;

(3) the remainder to be filled by competition in England?—As a good one.

Mr. *Crosthwaite.*

674. Is the appointment you hold a Government one?—No.

675. Is it for life?—There are no conditions attached to it.

WITNESS IX.—*30th December 1886.*

The Hon'ble Justice *Oldfield.*

Examination of the Hon'ble JUSTICE OLDFIELD of the Covenanted Civil Service; Judge of the High Court of the North-Western Provinces, Allahabad.

The *President.*

676. I believe, Mr. Oldfield, you are the senior Civilian of the North-West?—Yes; I think I have experience of the Government in all branches. I was Assistant Secretary to Government in 1856 or 1857. I have been in the judicial line for nineteen years, and in the High Court for thirteen. I was also in the Revenue branch of the service, I think, for about five years.

677. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved in this Province?—I think the better plan would be to fill the appointments in the Civil Service, which it is proposed to distribute among Natives of this country, by proved merit; and I think myself that the Uncovenanted branches of the service afford the best field for selection; but of course I would leave the Government a certain amount of power to select otherwise, but I do not think it desirable that that power should be exercised to any large extent.

Sir *Charles Turner.*

678. With regard to judicial appointments, do you think it would be desirable to exercise the power in the case of members of the local Bar of proved ability?—I think, as I said before, the better field is by promotion from the Subordinate Judicial Service, but at the same time I would not restrict the selections.

679. Have you heard any disapproval expressed of the existing Statutory Service? Do you yourself approve of it?—I approve of it in this way: I think some of the appointments now held in the Civil Service might very well be open to Natives, but I would not appoint them in the way they are now appointed.

680. Have you heard any disapproval of the service expressed by the public generally?—I have not.

681. Would you retain the Statute as it is or amend it in any way?—I think it might be retained as it is.

682. It has been suggested in the course of our enquiries that the term "Natives of India" should be altered and extended?—Any better definition does not occur to me.

683. If the Statutory Service is retained, would you require selected candidates to proceed to England for further training, or would you encourage them to go?—I should not; but you see my views are, that these appointments would be much better given by selection from men in this country of proved merit—men of whose qualifications you have been able to judge.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

684. What do you mean by proved merit? Proved merit in the service or as now understood under instructions from the Secretary of State?—I mean persons who have already worked satisfactorily in the same line in subordinate posts. I think proved merit might also mean, as regards the judicial line, men who have been at the Bar, and shown good ability and professional knowledge.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur—contd.

Sir *Charles Turner.*

685. Would men who have shown themselves well versed in revenue matters, in the management of their estates, or in performing public duties, be men of "proved merit" for your purpose?—I should not go quite so far as that. I mean rather men who have had experience in administration, and perhaps who have administered large estates.

The *President.*

686. It has been suggested that the definition of "Natives of India" might be extended so as to include subjects of Feudatory States. Would you approve of such extension?—I should prefer to retain the definition as it is.

687. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—I suppose those who are interested in the matter would feel that they are very much handicapped in having to go to England and pass examinations there. But I have not personally heard dissatisfaction expressed.

688. You believe, however, that Natives do labor under certain disadvantages?—I think it is obvious that they do.

689. Would you propose any change to remove or minimise these disadvantages?—If a proportion of the appointments which are now held by the Civil Service is thrown open, I do not think any encouragement of the kind is necessary. I think a certain European element is absolutely necessary, and that is best obtained by the present system.

690. Would you found scholarships or allow passage-money to Native candidates who wished to proceed to England?—I think if any advantages are given, they might take that direction.

691. Would you alter the limit of age?—Yes; I think I would raise it slightly for both classes of candidates.

692. Would you add to the subjects of examination or alter the marks assigned to any of the present subjects?—That is a matter which I would leave to be settled by the Civil Service Commission at home.

693. Do you think it would be desirable to hold simultaneous examinations in England and India for the competitive service?—I should say not.

694. What is your reason for saying so?—The one I have already given, that I do not see any reason for giving greater encouragement to Natives of this country if in another direction appointments are opened to them.

The *President*—contd.

695. Are the young Natives obtained under the existing system of open competition in England the best as regards character and capacity who could be obtained under any system?—I am not acquainted with any of them, but I have no reason to think they are not as good as could be obtained.

Mr. *Ramaswami Mudaliyar.*

696. What class of appointments and to what extent would you appropriate them for the purpose of promoting men who distinguish themselves either at the Bar or in the Uncovenanted Service?—I should not limit them to any particular class. I think some appointments might very fairly be opened in the Judicial line.

Mr. *Crosthwaite.*

697. Do you mean the Civil Judicial line and the Sessions Judgeships as well?—I have no reason to think that Natives of the country would not make as good Criminal as Civil Judges; but there would be a difficulty there, in that to make a Native a Sessions Judge he would require to go in from the subordinate ranks; at any rate, he would be required to go in without any previous experience. I think with previous experience he would do very well. The Deputy Magistrates have experience; but in the other Judicial service they are confined to civil duties entirely, and there are other administrative difficulties also,—I mean in the matter of the control now exercised by Sessions Judges,—but I think men from the Native Subordinate Judiciary might be trusted to exercise such control if well selected.

698. Do you think any difficulties might arise from the caste or religious prejudices of a Judge in a case of capital sentence, or anything of that kind?—I do not think so.

The Hon'ble Mr. *Quinton.*

699. Do you think the decisions of such Judges would fail to command respect in cases involving religious questions, cases arising out of religious riots for instance?—I do not think so.

Mr. *Crosthwaite.*

700. Have you had any experience of Native assessors?—Yes.

701. Do you not find in some cases there is a difficulty in getting them to convict, arising from religious prejudices?—You find a great variety of assessors, and I have found some very excellent men among them.

702. Do you find sometimes in cases, for instance, in which a sentence of death might be passed, a reluctance to convict?—I recollect one instance. I should think there might perhaps be a tendency towards letting men off, but I am speaking of assessors.

Sir *Charles Turner.*

703. Do you think it desirable that there should be a complete separation of the Executive and Judicial branches?—I think so.

704. Has it or has it not been your experience that gentlemen who have been connected with the Executive administration have shown themselves more able Judges by reason of their acquaintance with the life and habits of the people?—They have that advantage certainly, and it is a very considerable one; but the exercise of the Magisterial functions gives a good many opportunities of obtaining such acquaintance.

Sir *Charles Turner*—contd.

705. But in the administration of civil and criminal justice, is not a knowledge of the habits and customs of the people obtained in executive work, a great advantage to the Judge?—Of course it is.

706. And, therefore, would not a complete separation of the Judicial and Executive branches to a certain extent deprive the Judicial line of that advantage?—To some extent: no doubt there would be that drawback.

707. Has it not been the case that where a civil officer has had judicial experience, it has tended to improve his work as a District Officer?—Yes.

708. Have you in the High Court of this Province many applications for transfers of cases?—Not a very large number on the criminal side.

709. Are they more numerous on that side than on the civil side?—I doubt of their being as numerous. I do not think they are very numerous under any circumstances.

710. From what Courts to what Courts would the transfers generally be sought?—From one Court to another in the same district, and sometimes to the High Court.

711. Are they for transfers from a Court presided over by a Judge of one race to a Court presided over by a Judge of another race?—I do not think that has often been distinctly asked for. As a rule, it is merely for a transfer from one Court to another.

712. Have the applications been for transfers from the Court of a European to a Native, or from a Native to a European?—I think both have happened. It would be of course more frequently from the Native Courts, because I think Native Courts are more numerous.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

713. Do they not state reasons when they apply for such transfers?—Always. No transfer is given without.

714. What are the reasons generally given?—One would be that they thought there was a disposition to prejudge the case, or that the matter had been previously before the Judge in another capacity, or it might be that for some reason hearings were more easily obtained in the one place than the other.

Sir *Charles Turner.*

715. Can you furnish us with any instance in which you have had an application for the transfer of a case from a Court presided over by a European officer to a Court presided over by a Native?—I cannot recollect any precise instance. I think I must have had one in the High Court before now.

The *President.*

716. Should the Uncovenanted Service be recruited only from Natives of India as described in the Statute, or from all natural-born subjects of Her Majesty?—I should not restrict the recruiting: I think it might be made from all natural-born subjects of Her Majesty, but at the same time, certainly in most instances, it should be recruited from Natives of India, looking to their numbers.

The *President*—contd.

717. Would you recruit by competition, nomination, or by both systems combined?—I think a system of nomination and competition combined would be the most satisfactory.

718. Do you mean you would have limited competition among nominated persons?—I think so.

719. Would you apply the same system to all classes of officers?—I think it might be applied in all cases.

720. In the case of Tahsildars, for instance?—I think so.

721. Among Munsiffs?—Certainly, I think it would be very desirable that the nominations should be restricted to candidates who possess a certain qualification, educational or otherwise; for instance, who have passed the Pleaders' examination, something to show a certain professional knowledge and at the same time a standard of education; and out of those nominated I would select by competition.

Sir *Charles Turner*.

722. Is it not desirable that persons appointed to judicial offices should have had some experience as practising Pleaders?—A large majority of the men appointed under the present system have been Pleaders. I think such experience is very desirable, but I would not confine the appointments to such persons.

723. Do you not think it would be difficult to get men of some years' experience at the Bar to compete?—I do not think it would be desirable to appoint any man over twenty-five years of age, under any circumstances, as a Munsiff.

724. Twenty-five years of age does not leave many years for obtaining experience at the Bar. What is your reason for fixing a limit of age in such cases?—I think the younger the men go in the more readily they will learn their work, and they will have more prospect of ultimate high promotion as a stimulus, which, if they enter at an advanced time of life, they can hardly expect, and also there might be some difficulty in the matter of pension and retirement.

725. What is the jurisdiction of a Munsiff?—Up to Rs. 1,000.

726. And of course suits for small sums may come before them?—Yes.

727. Do you not think that twenty-five is very young?—When I say twenty-five, I dare say it might be raised under certain considerations. But I think twenty-five is perhaps a fair age.

728. I believe you have charge of that department of the High Court which has to do with the promotion and appointment of Munsiffs?—Yes.

729. We were informed yesterday of the case of a Eurasian who, having applied for appointment as Munsiff, was informed that he could not obtain that appointment, because it was not intended for Eurasians. Is that so, and is there any rule to that effect?—There is no rule at all.

730. Has that been a ground of objection?—I cannot recollect an instance.

731. In the case of Messrs. —— and ——can you say whether the applicants were informed that the appointments were confined to Mahomedans and Hindus?—I do not think so.

732. Would such a rule, if it existed, have your approbation?—No; a fixed rule of that sort would certainly not have my approbation. It would be contrary to the Statute 3 and 4, William IV.

Sir *Charles Turner*—contd.

733. In the debate on the Bill, which resulted in that Statute, did not Mr. Macaulay draw attention to the fact that Eurasians were Natives of India?—Certainly.

734. And is it also a fact that they are Natives of India within the Statute 33 Victoria?—Yes.

735. Whatever system is adopted, should the recruitment for the Uncovenanted Service be made by the several administrations only from persons resident in the territories under such administrations respectively, or with a preference for such residents?—I think I should prefer it limited to persons resident in the territories under the administrations.

736. You have a good many Bengali gentlemen in the Judicial service of this Province?—Yes.

737. And I suppose I may take it they were selected on the ground of superior qualifications over other candidates at the time?—Yes.

738. Has there not been some difficulty in securing a sufficient number of persons resident in the Province qualified to fill those posts?—I do not think there would be any difficulty.

739. Were these Bengali gentlemen, gentlemen who had only come to this Province to practise at the Bar?—I think a great many of them were from Bengali families domiciled in this Province.

740. It has been found desirable in some cases to appoint gentlemen who had come here in order to practise at the Bar?—It has been found so.

741. Have you not had reason to be satisfied with the selections of Bengalis made by the High Court?—Certainly.

742. Some of these gentlemen possess the entire confidence of the Court?—Yes.

743. And some have filled at a very early age the highest posts in the Subordinate Judicial Service?—Yes.

Mr. *Ramaswami Mudaliyar*.

744. There is no rule at present which excludes persons of other Provinces from the local service?—No.

745. In recruiting for the Uncovenanted Service of this Province, would you as a rule prefer the inhabitants of the North-West to those of other Provinces?—Yes.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

746. In recruiting for the Uncovenanted Service, would you not leave Government a discretion to appoint men who had not passed the limited competition which you propose?—No; I think if that system were introduced it should be adhered to.

747. Are you not aware that men are sometimes required to fill certain appointments who are not to be found among the successful ones in a competitive examination?—I think any discretion of that kind should be very limited. I can understand such an occasion arising, and so would not absolutely restrict the choice of Government in the matter.

748. Do you know if men of good family have been recruited freely for the Uncovenanted

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur—contd.

service?—I think a good many have entered the Uncovenanted Service. I have always understood it to be so.

Mr. *Stokes.*

749. You have no competition now for Munsiffs?—No.

750. Is it because you are not satisfied with the system?—I think it might be improved.

751. Do you think members of the Bar would compete up to thirty years of age?—Certainly.

752. Have you had any instance in this Province of Pleaders practising in the High Court having been appointed Subordinate Judges directly?—Yes.

753. And some of them were over thirty years of age?—Yes; and have made good Judges as a rule. I limit the age to twenty-five rather for the benefit of the service, because I think it desirable that men should come in at the bottom, and I am not quite sure you would not get just as good Judges that way. I think, if it be agreed to appoint entirely by selection, we could always get first-rate men out of the first grade Pleaders.

Sir *Charles Turner.*

754. Is there in this Province any rule that promotion to a first grade Munsiffship should be by selection out of the second grade?—It is generally by seniority, and I think it would only be a very inefficient man who could be passed over.

755. But if you give no promotion to men of exceptional ability, has it not a tendency to reduce the general efficiency of the service?—I think selection should be more made use of than it is.

The *President.*

756. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service accordingly as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches?—It is a very difficult subject, and my only reason for saying that a distinction might be made is that you can get men more easily to take office for the pay here than you can in England.

757. You consider therefore that, having regard to the interests of the public in a matter of economy, there ought to be a distinction?—Yes.

758. Have you not heard that there are other objections on other grounds, that it makes an invidious distinction, for instance?—Yes.

759. And you think the principal of the distinction should be domicile?—Yes.

760. Should any distinction be made in the Furlough Rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or on any other and what ground?—I think there should be distinct and separate rules, because the posts and the requirements are so different. The distinction should be on the ground of nationality.

761. I understand, your system of recruiting for the Uncovenanted Service would be provincial?—Yes.

762. The North-West Provinces would hold an examination for admission to the Uncovenanted Service?—Yes.

The *President*—contd.

763. You have said you would permit all Her Majesty's subjects to compete. Suppose some of the competitors were Englishmen, who succeeded after, as you say, preference had been given to the Natives of the Province—do you think it desirable that they should have greater advantages as regards pay, furlough, &c., than the Natives?—No; I think whatever service a man is in, he should stick to the rules of the service.

764. Are the privileges in regard to promotions and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service suitable to Natives obtaining office under the Statutory Rules? First, with regard to promotion: the *present system of promotion is to posts, and not to the service. If we retain* the Statutory Service, *ought we to retain that* system?—No; I think I would make it a separate independent service.

765. As to retiring annuity: do you think we should introduce the same system as we have in the Covenanted Service, namely deduction from pay?—No; I should have a pension unaccompanied by any deduction from pay.

Mr. *Ryland.*

766. You say that a man entering under certain rules should remain under those rules. But with respect to Europeans in certain departments the Furlough Rules have been made more favorable. Would you not make the more favorable rules applicable to all Europeans?—Yes; I think that might be the case.

Mr. *Ramaswami Mudaliyar.*

767. You said it would be easier to get men in India to take up posts for less pay than you could get them from England to do it. But considering the responsibilities of the office of a District Judge and Magistrate, for instance, and the importance that he should be free from temptation, do you think that the pay which members of the Covenanted Service get in those appointments is far more than they ought to get?—I do not think it is too much.

768. And do you think that a Native who holds such responsible office ought to get less?—I think, considering the conditions of his service, the pay might be less. He is in his own country and has perhaps less expenses.

The *President*

769. I think it is not a distinction between Native and European that you would draw, but between recruitment in England and India?—Yes.

Mr. *Peacock.*

770. I think I understood you to say that some of the disadvantages under which Natives now labor in competing for appointments in the Covenanted Service would be removed if a certain number of those posts were thrown open to them?—Yes.

771. But may I ask how you contemplate these appointments being filled up?—I *thought* the best way *generally of filling them was by* selection *from the Uncovenanted ranks.*

772. You *do not mean that those appoint*ments should be thrown open, to be competed

Mr. *Peacock.*—contd.

for by Natives at the competitive examination in England?—No; I am quite aginst anything like unlimited competition.

The *President.*

773. Do you consider the present rate of pay given to Statutory Civilians on first appointment is sufficient?—I think Rs. 200 a month is too little.

The *President*—contd.

774. You said you would make the Statutory Service a separate service, so as to give the members promotion in ordinary course. Do you mean you would make it a service distinct from the Covenanted Service or would amalgamate the two services?—I would amalgamate the two services.

WITNESS X.—*30th December 1886.*

Examination of Babu PRAMODA CHARAN BANERJI, of the Uncovenanted Service; Judge, Small Cause Court, Allahabad.

Babu *Pramoda Charan Banerji.*

The *President.*

775. Will you be good enough to tell us your service and standing? I am Officiating Small Cause Court Judge of Allahabad, which office I have held about nine months. I have been about fifteen years in the Subordinate Judicial Service, having before that practised as a Pleader. I received my appointment as Munsiff direct from the Bar. I have served at Ghazipur, Benares and Agra, at which last-named place I was Small Cause Court Judge. My salary as Small Cause Court Judge of Allahabad is Rs. 1,066 and odd annas. I am a Native of Bengal, and was appointed Munsiff about a year and a half after I had commenced practice here. I was then twenty-four years of age.

776. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Service approved?—It is not approved by the educated class. Their chief cause for dissatisfaction is that the service is regarded as only an intermediate service between the Covenanted and the ordinary Uncovenanted Services, and as such is inferior to the Covenanted Service. Another objection is to the mode of recruiting. The object of the Statute chiefly, it seems, was to empower the Government to appoint Uncovenanted Officers of proved merit, or distinguished members of a profession, to higher appointments in the Civil Service, that is, as the Act itself says, to provide "additional facilities" for appointment of good men into the Covenanted Service. The rules as framed do not provide any test of merit and ability in regard to the men appointed. There is therefore no guarantee as to their fitness, and no safeguard against the admission of incompetent men.

777. Could these defects be removed by amending the Statute, or the Rules, or how?—There is no objection to the Statute, because its object is to enable the appointment of men to the service who have proved their merit and ability either in Government service or in the practice of a profession. But assuming the Statutory Service is retained, my idea is that it should be so only for the purpose of enabling Government to promote such men to the Covenanted Service, but as regards other persons selected there ought to be some system of competition.

778. You mean you would nominate the candidates and make them compete afterwards?—I mean that nomination should be confined to men who have proved their merit and ability either in Government service or in the practice of a profession, and that certain tests should be provided for others until a sufficient number of Natives have entered the service through the ordinary channel, when the present Statutory system might be abolished altogether.

779. Would you amend the definition in the Statute of Natives of India?—I see nothing objectionable in the definition.

The *President*—contd.

780. If the Statutory Service is retained, would the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—I would simply encourage them by the hope of preferential promotion in the service being held out to them.

Mr. *Ramaswami Mudaliyar.*

781. Would you amend the Statute also so as to make members of this service members of an organized service, and not merely holders of posts in it?—Yes; I would amend the Statute to that extent.

The *President.*

782. In the case of a man whose merit and ability were proved at the Bar, would you appoint him also to the service or only to a post?—I would appoint him to the service.

Mr. *Stewart.*

783. Would you grade these men with the existing members of the service?—My idea is that the object of the Statute was to allow men, who have proved their merit in the Uncovenanted Service or a profession, to be appointed to posts in the Covenanted Service, and that they should rank with officers of the same grade in that service.

Mr. *Stokes.*

784. Would you have a competition amongst the men of proved merit whom you would promote to the Covenanted Service?—No.

785. Do you think it would be desirable to retain the Statutory Service as long as a sufficient number of Natives of the country do not enter the Civil Service by open competition?—Yes; so long as the number of Natives who enter the service is not appreciably large, or, say, one-third.

786. You think one-third would be sufficient?—I think so.

The Hon'ble Mr. *Quinton.*

787. How many men do you know amongst those who have been appointed Statutory Civilians in this Province?—Three; two of whom I think are very well qualified men, but the third is not equally so.

788. Would your system of competition be open to all India or Provincial?—Provincial.

Sir *Charles Turner.*

789. You say the law at present allows of men of proved merit and ability being appointed to posts; would there not be the inconvenience that the man so appointed would expect promotion, and yet might not be qualified for any post superior to that to which you have so appointed him?—Such a difficulty might occur, but it might also arise in the case of members of the Covenanted Service.

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Babu *Pramoda Charan Banerji.*

Sir *Charles Turner*—contd.

790. Is it not an opinion very prevalent respecting the Covenanted Service that beyond a certain grade no man should be appointed to any higher post except he be obviously qualified to fufil the duties of that post?—Yes.

The *President.*

791. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—So far as the Natives of this country are concerned, the present Rules are almost prohibitive in their case. I would have an open competition in India simultaneously with the competition in England. The examination held in England and in India should be parts of the same examination, and the position of successful candidates should be the same in both cases.

The preliminary qualifications of Native candidates in regard to age, educational attainments, moral, social and physical fitness, should be precisely the same as those required of English candidates, and the subjects and conditions of examination should be precisely the same. The only changes I would recommend are—(1) that the limit of age should be raised to twenty-three; (2) that the number of marks assigned to Sanskrit and Arabic should be the same as those assigned to Greek and Latin; (3) that the Vernaculars of India should be added to the subjects of examination; and (4) that Indian History should be added also. The present limit of age is too low to allow of graduates and other eminently qualified men, both here and in England, competing at the examinations. In 1858, when the limit of age was twenty-three, out of twenty candidates selected for the Civil Service eighteen, or ninety per cent., were University men. The limit of age was reduced to twenty-one in 1866. In 1874, five out of forty selected candidates, or only fifteen per cent., were University men, and the proportion of such men has become still smaller. The average age at which a degree is obtained both in English and Indian Universities is 21½. It is therefore desirable, in the interest of candidates of both classes and of the service itself, that the limit of age should be raised. It was when the limit was twenty-three that some of the most eminent members of the Civil Service entered it, and it is doubtful whether since the limit has been lowered an equally able body of men has been secured. Besides, the average age at which the degree of M.A. is obtained is about twenty-two. Another year is necessary for special training for the Civil Service. The Natives of India are very much handicapped by the earlier age from the fact that they can barely pass the F.A. Examination.

792. Would you have the examination held at one or more centres in India?—I think I would hold the examination in one place in India, or, if necessary, at different centres, but the standards of examination ought to be exactly the same. I would have the examinations identical.

793. Have you considered the difficulties attending the *vivâ voce* part of the examination?—The same questions might be put in both cases without insuperable difficulty. I would have one test for both examinations, which should be regarded as forming parts of one and the same examination, and the persons who would obtain the highest number of marks should be selected.

The *President*—contd.

794. Would you apportion some of the appointments to Natives of India?—No.

795. Or between the territories of the several Administrations respectively?—No.

796. If an examination is held in India, should the successful candidates be required to proceed to England to complete their training?—I would regard it as an essential condition. They should get the same allowance as other candidates.

797. Do you know any of the young Natives who have entered the service under the existing system of open competition in England?—Yes; in Bengal.

798. And do you think they are the best that can be obtained under that system?—I should think so.

799. Do you think they are the best that could be obtained under any system?—I should think so.

800. You do not think that under a changed system you would get better?—I cannot say.

801. Where were you educated?—In Calcutta. I am a graduate of the Calcutta University. I did not graduate in Oriental classics.

802. Do you think an education in the Oriental classics is as valuable as a mental training as an education in the Western classics and in English?—I should think the Western training is the best under the present circumstances.

803. Do you not think that with an examination in India, as you suggest, and the subjects of examination altered as you propose, you might, as a rule, get inferior men to those you get now?—I do not think so. The standards of examination fixed by the Indian Universities for the Degree of M.A. and the studentship examination very nearly approach the standards required for the Civil Service Examination, and a little further training in that direction would bring the students to almost the same level. I would make the candidates undergo two years' training in an English University.

804. Would there be any objection to compulsory residence in England on the ground of caste which would exclude certain classes of Hindus?—It might exclude some, but objections of the kind are disappearing to a great extent.

Mr. *Ramaswami Mudaliyar.*

805. Do not Indian graduates read English History?—Yes.

806. So that their disadvantage in that respect, as compared with English students, is not so great after all?—No.

807. And supposing that they do not teach Indian History at the English University, would the English candidates be at any disadvantage at all?—I do not know.

808. What particular importance do you attach to Indian History?—I think a candidate for the Indian Civil Service should be required to know something at least of the history of the country.

809. And as regards the Vernaculars, do not you think they would also give Indian students an undue advantage over the others?—I do not think so. English youths have far greater facilities for learning French, German and Italian than we in India have.

810. But as an intellectual training do you attach much importance to the Indian

Mr. *Ramaswami Mudaliyar*—contd.

Vernaculars?—No; I don't suppose there would be any great gain in that direction.

Mr. *Nulkar.*

811. What do you say to an open competitive examination in India only?—The objection would be the same as that now taken to its being held in England. It would practically exclude English candidates.

812. To your knowledge do any Natives hold the opinion that a competitive examination and one only should be held in India?—I heard a gentleman expressing such an opinion yesterday, but I know of no other.

813. Do you share the opinion that if simultaneous examinations are held we shall soon have very few Englishmen in the Civil Service?—No. The examination is very severe, and I do not think Indian candidates would pass in very large numbers, having regard to their present educational opportunities.

814. You mention one-third as the proportion of Native members of the service which would satisfy the aspirations of Natives. Do you consider that that proportion is likely to be reached within the next ten years?—No.

815. You say the objection amongst Hindus to their compulsory visit to Europe is disappearing?—It is not so strong as it was.

816. Do Hindus who go to England for a few years, on their return undergo the same penalties now as heretofore?—No.

817. Do they find re-entrance into caste and society easy, provided only they take ordinary precautions against giving offence?—I do not think the difficulties are so great as they used to be. Even among high caste Brahmans this is the case to a great extent.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

818. Do you not think that an open competitive examination in India would give advantages to a particular class of Natives over others?—Open competition in India would probably, at the outset, give an advantage to some classes of the community over others, and the Natives of a Province in which education was comparatively backward would not probably obtain all the appointments in their own Province. It is for this reason I advocate the retention of the Statutory system for each Province until a sufficient number of Natives of the Province shall have entered the service by competition. I do not think the inequality which would arise at the outset would last. Education is already making vast strides in the North-Western Provinces, and the number of local graduates is increasing every year, and open competition in India for the Civil Service would give it an impulse throughout the country so that before long all inequalities would be adjusted.

The *President.*

819. What proportion, roughly speaking, do the educated men of these Provinces bear to the rest of the population?—A very small one.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

820. Do not the cultivating classes form the bulk of the Indian population?—Yes.

821. And supposing that they do not take to education, will not those classes who do receive high education leave them far behind, so that the service is likely to be monopolised by a comparatively small class not representing the bulk of the population?—That must always be the case everywhere.

Mr. *White.*

822. Do you not think it is the first duty of Government to get the best men for its purpose?—Yes.

823. And that in a country like India, inhabited by so many races, it is incumbent on Government to see that every class is proportionately represented in the public service?—Yes; and if there be one open competition, as education is progressive, all classes will eventually be equally represented; but should any inconvenience arise, it would be for the Government to deal with it.

The Hon'ble Syad *Ahmed*, Khan Bahadur.

824. If you have open competition in India simultaneously with that in England, how are you to reserve one-third of the appointments for Natives?—I would not reserve any proportion of the appointments for Natives; but I say that until a sufficient number of Natives have entered the Civil Service, we ought to retain the Statutory system. If by open competition one-third of the appointments is obtained by Native candidates, I would close the present Statutory Service.

The Hon'ble Mr. *Quinton.*

825. The question of mental training apart, do you not consider that a knowledge of Greek and Latin literature is a better test of a liberal education than a knowledge of Oriental classical literature?—I cannot answer that. Perhaps Greek and Latin are superior.

Sir *Charles Turner.*

826. Have you had any connection with the Universities since you took your B.L. degree?—No.

827. But you have met many gentlemen who have lately completed their University education?—Yes.

828. And it is from your acquaintance with them that you say that the number of successful Indian candidates in both India and England would not be excessive for many years to come?—Yes.

The *President.*

829. Would you restrict the competition in India to Natives, and that in England to Englishmen?—No; I would have free admission of either class to either examination.

830. You said you would give some facilities to Natives who desire to go to England and study, because you said Natives are at present somewhat handicapped. Are Englishmen in any respect handicapped: for instance, does it not cost an Englishman more to take his degree than it costs a Native?—Education is certainly cheaper in India.

831. Can you give me any idea of the cost which the Calcutta University course involves from the time the candidate has taken his Entrance up to the time when he takes his B.A. degree? I mean for his education only?—

The *President*—contd.

Taking the Presidency College, where the education given is the best, the monthly fee is Rs. 12 for twelve months, and assuming that the candidate studies for four years before taking his B.A. degree, the cost would be Rs. 576 besides examination fees.

832. Should the Uncovenanted Service be recruited only from Natives of India as described in the Statute, or from all natural-born subjects of Her Majesty?—I would not confine it to any particular class of Her Majesty's subjects.

833. Would you recruit by competition, nomination, or both combined, bearing in mind that we are speaking of Deputy Collectors, Tahsildars, Munsiffs and Subordinate Judges?—The present system of making appointments to the Executive Service in these Provinces is not such as it should be. It is certainly better than what it used to be in former days, but there is still much room for improvement. The Executive Service is chiefly recruited from men of the *Amlah* class, whose standard of official integrity is not very high. The majority of Tahsildars consist of men who have risen from the rank of inferior clerks, who began life on Rs. 10 a month, and most of the Deputy Collectors have been taken from the rank of Tahsildars. The educated classes are very meagrely represented in the Executive Service; and as remarked by the graduates of these Provinces in a memorial presented by them to His Honor the Lieutenant-Governor, "something like protection is exerted in favor of the uneducated or the ill-educated to the exclusion of the highly-educated." Further, in the North-Western Provinces and Oudh, the number of Tahsildars is two hundred and fifteen, and that of Deputy Collectors and Extra Assistant Commissioners is one hundred and sixty-eight. There is not a single graduate among the former, and there are only four among the latter, who have all been appointed since 1882. Less than one-half of the Deputy Collectors and Extra Assistant Commissioners have any knowledge of the English language; and the number of Tahsildars who have such knowledge is much smaller. This result is attributable to the system under which these appointments are made. Appointments to the Subordinate Judicial Service are regulated by the rules laid down in the Notification of Government, No. 385, Judicial (Civil) Department, dated 17th May 1881, which prescribes tests of qualification of a comparatively high standard. These rules have the effect of securing a better class of officers. For appointments to the Executive Service selection should, in my opinion, depend upon success at a competitive examination. One-half of the Tahsildarships and two-thirds of the Deputy Collectorships should be competed for by graduates, those standing high in the order of merit being appointed. The remaining appointments should be competed for by undergraduates, subordinate officers in the service of Government and pleaders, and the result of the examination should regulate appointments. The effect of this would be that a great impetus would be given to high education in these Provinces, and at the same time an efficient body of public servants would be secured. For the Judicial Service, the existing rules may be maintained, with this modification, that no one should be appointed a Munsiff who has not practised as a pleader with repute for two years. The limit of age should, for the appointment of such men, be thirty years, and the persons to be appointed should be of good moral character and be men of respectability.

The *President*—contd.

834. Would you recruit provincially?—I would not exclude Natives of other Provinces, but would give preference to Natives of the Province, the qualifications of each being equal.

835. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—I would leave that to the discretion of Government.

Mr. *White.*

836. What do you mean when you say you would recruit for the Uncovenanted Service from all natural-born subjects of Her Majesty?—I would not restrict it to Natives of India, but would allow Europeans to compete.

837. Would it not be right and proper then that safeguards should be taken in order that undue patronage might not be exercised in making the appointments?—That is why I advocate open competition.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

838. Do you mean by all natural-born subjects Canadians and Australians also?—Of course, and I would have no objection to their competing.

Mr. *Stewart.*

839. Are you well acquainted with the duties of Tahsildars?—To a certain extent.

840. Are those duties difficult or simple?—Not very difficult.

841. Do they require great knowledge of the habits and customs of the people, land tenures, &c.?—Yes.

842. And many other circumstances closely connected with the welfare of the district?—Yes.

843. You say you would have one-half of the Tahsildarships competed for by graduates only, but what assurance have you that these graduates have any knowledge of Tahsildars' duties?—Of course newly-appointed men would not be exactly acquainted with the details of office, but in a short time they would make up for any deficiency in experience.

The Hon'ble Mr. *Quinton.*

844. A Tahsildar has to collect the revenue of his tahsil, and therefore must be minutely acquainted with the circumstances of the various zamindars in his tahsil?—Of course.

845. You say the result of your system would be an impetus given to high education, and at the same time an efficient body of public servants. Do you mean to imply that the existing class of Tahsildars is inefficient?—I do not exactly mean that, but I think we should get better qualified men. I think as a class they might be improved.

Mr. *Stokes.*

846. You say "for the Judicial Service the existing rules may be maintained, with this modification, that no one should be appointed a Munsiff who has not practised as a Pleader with repute for two years." Would you have competition among Pleaders also?—I do not think

Mr. *Stokes*—contd.

competition in their case would be desirable, nor do I think it is likely we should have many of them to compete who have some practice. By my proposal not to appoint any one who has not had two years' practice as a Pleader, my chief object is to exclude men of the *Amlah* class. Under the present rules a reader who has simply qualified himself by a pleadership examination may be appointed a Munsiff, but I would not have men of that class.

Sir *Charles Turner.*

847. Why ?—The reason is, that a man who has been among the *Amlah* class has no high standard of official integrity and morality. Of course there are exceptions ; but, as a class, that is the case.

Mr. *Crosthwaite.*

848. You say you would keep one-half of the Tahsildarships and two-thirds of the Deputy Collectorships for graduates, and the other half for under-graduates. Are graduates better for the public service or under-graduates ?—Graduates are the best of course.

849. Supposing there were sufficient graduates to fill the appointments, why reserve a large proportion for under-graduates ?—In the first place, we should not be able to get a sufficient number of graduates ; and in the second place, the competitive examination would give an opportunity to those who were unable to pass as graduates to get these appointments.

850. But how would that be giving "an impetus to high education" ? Have you thought the scheme well out ?—Not very well out.

Sir *Charles Turner.*

851. Your objection to the promotion of men of the *Amlah* class to Tahsildarships is on account of their not possessing a high standard of morality ? —Yes.

852. There have been instances of corruption both in the Munsiffs and the Tahsildars appointed from that class ?—Yes ; there have been instances of corruption.

853. I suppose every Munsiff and every District Judge in this Province is obliged to possess at least as good a knowledge of land tenures as Tahsildars ?—Yes.

The Hon'ble Mr. *Quinton.*

854. Can you say what knowledge of land tenures is required by Tahsildars ? A Tahsildar would require to apply his knowledge four times a year, that is, as often as the land revenue falls due ?—Yes.

855. And a Munsiff would require to apply his knowledge of land tenure as often as a suit was brought before him in which a question of land tenures was involved ?—Yes.

856. Are such suits numerous ?—I think the bulk of suits before Munsiffs are for contract and money due.

Mr. *Ramaswami Mudaliyar.*

857. And Tahsildars ?—Tahsildars decide rent suits ; questions of proprietary right are determined by the Civil Courts.

Mr. *Ryland.*

858. Do you think that if the number of European officers were considerably reduced, and Natives admitted to the service in unlimited numbers by competition alone, it would not be a positive disadvantage to the country ?—I think so.

859. Supposing that qualified Natives were appointed ?—Of course a certain class of appointments would be reserved for Europeans on political grounds.

Mr. *Stokes.*

860. You say that you prefer to appoint Members of the Bar, Vakils, &c., to judicial posts, rather than men of the *Amlah* class, because you think the latter are less morally qualified. May I ask you whether the moral atmosphere in which young vakils move is a purer one than that which surrounds the *Amlah* ?—It is a purer one than that in which *Amlah* on Rs. 10 a month move.

Mr. *Ryland.*

861. Of the Natives of these Provinces, which do you think, as a class, would be most likely to succeed in an open competition. Do you think that an increase of Bengalis would satisfy the aspirations of these Provinces ?—I cannot say that, but, as I have said, the opening of the service to competition would not be a disadvantage to Natives of these Provinces, for if an open examination be held, and the Natives of these Provinces are not able to compete successfully for these appointments, they lose nothing.

The *President.*

862. Have you anything to say on the subject of pay and leave rules ?—In India the amount of pay attached to an appointment carries with it prestige and importance in the eyes of the Native public, and therefore when the pay of one appointment is less than that of another, the former is regarded as an appointment of less importance than the latter. It is consequently desirable that in regulating pay, inequalities should be avoided as far as practicable, consistently with the requirements of the service. At the same time persons who have the advantage of holding appointments in their own country cannot fairly claim the same rate of pay as those who have to undergo the disadvantages of living in a foreign country far from their homes under various unfavorable conditions. The question of pay, therefore, is one of great importance. The Statutory Service, at an present constituted, being from its very nature an inferior service, the members of it cannot claim the same rate of pay as the members of the Covenanted Service. At the same time their pay should be so regulated that their emoluments should not be less than what they would have been, had the same officers entered the Uncovenanted instead of the Statutory Service. Under existing rules the pay of a Statutory Civilian while on probation is less than that of a Deputy Collector of the lowest grade in the North-Western Provinces, and on confirmation he does not get a higher pay than that of a 1st Class Tahsildar. The result is that in these Provinces the general public do not consider appointments in the Statutory Service to be of higher importance than those in the Uncovenanted Service. To remedy this inequality I would suggest that the salary of a probationer

The *President*—contd.

should be Rs. 250 a month, the pay of a Deputy Collector of the lowest grade, and that on confirmation it should be raised to Rs. 300. After that the rule of sixty-four per cent. may be applied to all Statutory Civilians. As for Natives of India who have entered the Covenanted Service through the competitive channel, whether in England or in India, I am of opinion that their pay should not be equal to that of European members throughout the whole period of their service. By "Europeans" I of course mean those who are not Natives of India within the meaning of the Statute 33 Victoria, Chapter 3, Section 6. All that my countrymen can justly claim is that they should be appointed to all the appointments for which they have fitted themselves. But if, by reason of the smallness of the number of such men, or of their not being deemed properly qualified for particular classes of appointments, it becomes necessary to resort to foreign agency, and such agency cannot be secured without offering a high rate of pay and other advantages in the service; such pay and advantages must be conceded. Assuming, therefore, that the services of properly-qualified Europeans cannot be secured unless such advantages be given to them, a distinction must be maintained between the salaries of European and Native members of the Covenanted Service. In view of the fact that in this country inequality of pay brings about inequality of prestige in the eyes of the general public, the pay of the different appointments in the Covenanted Service should be so arranged that it should be a fixed sum to be drawn by the holder, whether he is a "Statutory Native" or a European, with an additional allowance in the case of those who are not "Statutory Natives." Such an arrangement will, I hope, obviate sentimental objections on the score of inequality of pay. The distinction indicated above should, however, be maintained with certain limitations. The pay attached to the lower grades of appointments in the Covenanted Service is not very high. Any reduction in the amount of such pay in the case of Natives would result in giving them inadequate salaries. Having regard to the social conditions of the Natives of the country and to the fact that they ordinarily marry and have family and children at an earlier age than Europeans, the wants of a Native member of the service in the early years of his career in it are greater than those of his European colleague. I would therefore suggest that in the lower grades of Covenanted appointments there should be no inequality of pay, and equality should be maintained until the pay reaches the level of the maximum salary allowed to Uncovenanted Officers in the Subordinate Judicial and Executive Services in each Province. After this level has been attained, there should be a difference between the emoluments of Native and European members of the Covenanted Service. The advantages of maintaining equality up to a certain limit would be numerous. The level of the maximum salary of Uncovenanted Officers is ordinarily reached in about ten years. If for this period no distinction were maintained between the salaries of European and Native officers, the public would become accustomed

The *President*—contd.

to regard both classes of officers in the same light, and sentimental objections based on inequality of pay would vanish. The European members of the service, after serving with Natives on terms of equality for a period of ten years, would be accustomed to regard them as their equals in every respect, and there would be little likelihood of the Native officer being looked down upon by his European colleague. Moreover, it is about this period of his service that the wants of a European officer, by reason of increase of family, would become greater, and his necessity for demanding a high rate of salary would arise. I would fix the limit at this point because the maximum pay of an Uncovenanted Officer is regarded as sufficient to meet the ordinary wants of the respectable classes of Natives. After the limit is attained, European officers should be allowed a higher rate of pay than Native officers, in the shape of a staff or personal allowance, such allowance being taken into account for purposes of pension and of leave and other allowances. The rule of sixty-four per cent. would, I think, be a fair criterion for regulating the difference. My suggestions, therefore, on the question of pay are these—

(*a*) Assuming the present Statutory Service to be retained, the pay of a Statutory Civilian should be Rs. 250 a month while under probation, Rs. 300 on confirmation, and sixty-four per cent. afterwards.

(*b*) In the case of Uncovenanted Officers and members of a profession appointed to the higher grades of the Covenanted Service, sixty-four per cent.

(*c*) In the case of Covenanted Officers who have entered the service by the channel of competitive examination, whether in England or in India—

(i) absolute equality of pay until the level of the maximum salary of Uncovenanted Judicial and Executive Officers in the Province has been attained;

(ii) after that, officers who are not Statutory Natives should get a special allowance in the proportion of thirty-six to sixty-four.

Mr. *White.*

863. In regard to the difference in pay would you class domiciled Europeans with Natives?—Yes.

864. That is right, but should Government fix salaries with reference to individuals or with reference to work?—Both principles should be taken into consideration. If you require a man for your purpose whom you cannot get in the country, you must hold out better inducements if you would obtain his services. What I maintain is this, that Natives of India should be appointed to such appointments as they are qualified to fill; but if you cannot get a sufficient number of qualified Natives, and if you have to indent upon other people in order to fill your appointments, and the services of these persons cannot be secured without giving them better advantages, you must give them these better advantages.

WITNESS XI.—*30th December 1886.*

Examination of Munshi MAHFUZ ALI, Zemindar of Lucknow.

Munshi *Mahfuz Ali.*

865. I come from Lucknow. I am a zemindar and twenty-seven years of age.

The *President.*

866. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Civil Service approved?—It is not; on the grounds (1) that the men have not been admitted according to their qualifications and ability; and (2) they are excluded from the higher appointments in the service. Some test of qualifications—I mean some examination—should be undergone by the candidates. There is no objection to the Statute itself, and I think that the definition of Natives of India is sufficient.

867. Would you not include in it the subjects of Feudatory States in alliance with us?—No.

868. If the service is retained, would you compel the selected candidates to complete their training in England?—I would make it optional rather, and encourage them to go by scholarships and passage-money. I personally know two Statutory Civilians, and they are inefficient. They are not graduates of any University.

Mr. *Peacock.*

869. How long has the Statutory Service been in force in this Province?—There were two Statutory Civilians in Sir George Couper's time.

870. You say that you partly object to the system because Statutory Civilians are excluded from higher posts, but if these gentlemen have been in the service only for five or six years, can you say that they are in such a position that they have been deprived of the higher appointments?—Any other men would have got them.

871. How?—What I mean is that they are unfitted for higher appointments.

872. And you base your opinion on personal knowledge?—Yes.

873. But have not these two gentlemen been promoted already?—I do not know.

874. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Yes; chiefly in respect to the age limit. I would raise the age to twenty-two years at least. Some modification should also be made in the marking of certain of the subjects of examination. The maximum marks for all classical languages, Western or Oriental, should be the same in all cases.

875. Would you make any change in the subjects themselves?—I am not well acquainted with the subjects.

876. Would you have the examination in India as well as in England?—Not as far as this Province is concerned.

877. Should the Uncovenanted Service be recruited only from Natives of India as described in the Statute or from all natural-born subjects of Her Majesty?—From all natural-born subjects of Her Majesty.

Mr. *Peacock*—contd.

878. Would you recruit by competition, or by nomination, or by both?—By nomination; but there should be some test of qualification.

879. Would you nominate to posts in these Provinces only persons resident in these Provinces or persons resident in all India?—Chiefly persons resident in these Provinces.

880. There is at present a certain proportion (one-sixth) of appointments in the Covenanted Service allotted to the Statutory Service. Now, supposing you abolish the Statutory Service, would you re-absorb these appointments in the Covenanted Service or give them to the Uncovenanted Service?—I would re-absorb them into the Covenanted Service.

Mr. *White.*

881. What do you understand by all natural-born subjects of Her Majesty? All Her Majesty's subjects of whatever race, or creed, or nationality?—Yes.

882. You would provide certain tests of course?—Yes.

The *President.*

883. The answers which you now give differ somewhat from your written ones. Were the latter prepared under your direction?—Yes.

884. Then you have changed your opinion somewhat?—On what point?

Mr. *Ramaswami Mudaliyar.*

885. For instance, to the question whether you consider that the introduction of an open competitive examination in India would have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service your answer is, "Possibly for some time to come; but I think they who do not readily come forward to compete at a public examination must bear the penalty of their shyness. The public service should not lose its character of efficiency on their account." Do you adhere to that opinion?—Yes; I adhere to it. My answer is given only with reference to these Provinces.

886. And to the next question, how under such a system would it be possible to provide against the Natives of a Province in which education is comparatively backward being excluded from appointments in their own Province your answer is, "If a modified Statutory system is retained, with a fair proportion of Civilians, who have passed through the channel of the limited competition, any danger as to the preponderance of any section or class would be effectually obviated until the time, not far distant, when the backward Provinces also begin to send up their full quota of candidates for the open competition. Do you adhere to that opinion still?—Yes.

887. To the next question—Would a system of provincial examinations be preferable to one examination for the whole of India—your

Mr. *Ramaswami Mudaliyar*—contd.

answer is, "No; a provincial system of examination for each Province separately has its obvious drawback, in that such examinations would lose their competitive character, which it is and ought to be the aim of every sensible man to secure." Do you still adhere to that opinion?—Yes. If a system of open competition is adopted for other Provinces, in that case I would have only one examination.

888. Do you object to competitive examination in these Provinces for the Covenanted Civil Service?—Yes.

889. In your answer to the question, whether you think there are any objections on political or administrative grounds to open competition in India, you say, "Yes; in case the Statutory system, on a modified basis, is altogether done away with at the present moment." Do you still adhere to that opinion?—Yes.

Mr. *Nulkar.*

890. When you had these answers prepared for you, were you not aware that you were giving evidence in reference to the Province to which you belong?—Yes.

891. Then how do you reconcile that position with the one you now take?

The *President.*

892. I understand you to mean that speaking according to your knowledge of these Provinces, you give your own particular views with respect to these Provinces, irrespective of what may have been decided for the rest of India?—Yes.

The Hon'ble Mr. Justice *Mitter.*

893. Have you studied the subject of Furlough and Pay Rules?—No.

WITNESS XII.—*30th December 1886.*

Examination of Syad ZAHID HUSSAIN, of the Uncovenanted Service, Deputy Collector, Jaunpur.

894. I am Deputy Collector of Jaunpur. I have been twelve years in the service in these Provinces, and have been employed in the Settlement Department the whole time.

The *President.*

895. Have you known any member of the Statutory Service?—I have met them occasionally, but I have no personal knowledge of them.

896. Have you considered the question of the Statutory Service as regards the existing system under which men are appointed to that service?—Yes.

897. Do you approve of it?—I object to it because Uncovenanted officers and professional men of proved merit and ability are practically excluded from it.

898. Do those classes disapprove of it?—Yes, because they think that they are fully as competent to perform the duties of members of the service as the men appointed under it.

899. Would you alter the rules under which appointments are made?—The appointments are too few, and some test ought to be prescribed of educational qualifications. There should be an open competition, but men of high birth and good family should be preferred, the qualifications being otherwise equal.

900. Do you know the Statutory definition of Natives of India?—Yes; I understand it.

901. Would you alter it in any way?—It should be restricted to those who are born and bred in India, and whose parents have resided here for at least three years.

902. If the service is retained, should the selected candidates be required to proceed to England for training or be encouraged to do so?—They should be encouraged to go by means of scholarships and the promise that if they go to England and qualify themselves they will enjoy the privileges of a Justice of the Peace.

903. Do Mahomedans who go to England lose touch or sympathy with their countrymen on their return?—No.

904. Do they acquire any benefit by going?—Yes; they get a better education and wider experience.

905. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Yes.

The *President*—contd.

906. What alterations would you make?—I would hold simultaneous and identical examinations in England and India.

907. Would you place all the successful candidates on one general list?—Yes.

908. Would you alter the age limit at all?—Yes; to twenty-two years for Natives, but not for Europeans, because they are examined in their own language.

909. Would you make any change in the marking of the subjects?—I can suggest none.

910. In the subjects of examination?—I do not recommend any.

911. Would you found scholarships and give passage-money for students who might desire to compete in England?—I see no harm in doing so.

912. Assuming there is an examination in India, would you hold it at more than one centre?—No; at one centre only.

913. And in that case should the successful candidates be required to proceed to England to complete their training?—Yes; they should be compelled to go under penalty of forfeiture of their appointments.

914. Should the Uncovenanted Service be recruited only from Natives of India as described in the Statute or from all natural-born subjects of Her Majesty?—From all natural-born subjects of the Queen who are admitted under Her Majesty's Proclamation.

915. Confining your answer to the case of Deputy Collectors, Subordinate Judges, Munsiffs and Tahsildars, would you recruit by nomination, competition, or by both combined?—By both combined.

916. Would you make any distinction as regards any those classes?—No.

917. Would you recruit provincially or from residents of all India?—Provincially.

918. Have you studied the subject of Pay and Furlough Rules?—Yes.

919. Should any distinction be made in the salaries attached to posts for the Covenanted Civil Service according as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted branches?—The pay should be the same, and the same Furlough Rules should apply.

WITNESS XIII.—*30th December 1886.*

Lala *Bagasheri Dyal.*

Examination of Lala BAGASHERI DYAL, of the Uncovenanted Service, Munsiff of Moradabad.

920. I am a Munsiff at Moradabad, and have been so over three years. Before I was appointed Munsiff I was interpreter in the High Court. I am a volunteer witness.

The *President.*

921. On what points do you particularly desire to be examined?—On the issues relating to the Covenanted and Uncovenanted Service.

922. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—I am not aware of any.

923. Would you have an examination in India simultaneously with the one in England?—Yes; and if the examination is held in India, the candidates should be required to have experience of all centres of the country.

924. Should the examination be identical?—I would have the subjects altered. Arabic and Sanskrit should be on the same footing as regards marks as Latin and Greek, and so far the examinations would differ. Sanskrit and Arabic would be excluded from the English examination.

925. How would you recruit for the Uncovenanted Service?—From Natives of India as described in the Statute only, by competition and nomination combined. I would make a distinction between Judicial and Executive appointments. As regards the latter, I would have nomination by the local Government, followed by competition among the nominees. Bengalis should not hold executive appointments in these Provinces.

926. And how would you recruit for judicial offices?—By competition confined to men of good social standing.

927. Would you recruit only from persons resident in the territories of the respective administrations or only with a preference for such residents?—If the residents of a Province are found competent to hold the appointments in that Province, they should be preferred to the exclusion of others.

928. What is the feeling of the Province as regards residents in other parts of India?—They feel that such persons are not so well acquainted with the language, manners and customs of this Province, nor can they command so much respect from the people of this Province.

929. Is there any feeling in the Province against them?—There is a great feeling against them. Of course this feeling does not extend to Europeans.

The *President*—contd.

930. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—Yes.

931. In that case would you increase the number of appointments now assigned to the Statutory Service?—Yes; I would make it one-third of the whole.

932. Would you place Natives in any of the posts reserved for the Covenanted Civilians—Collectorates, for instance?—Not at present.

Mr. *Ryland.*

933. Can you give us any instance of this feeling which you say the Natives of these Provinces entertain towards those of other parts of India?—Yes; in the Accountant General's Office. This office contains not less than 500 employès, all Bengalis, and from Mr. Waterfield's time up to Mr. Tupp's appointment no appointment was given to any but Bengalis. In that office there are superintendentships which are held almost exclusively by Bengalis, and of course the clerkships and other appointments under them are given away by these superintendents subject to the sanction of the head of the office, and whenever they fell vacant, Bengalis were appointed.

934. Has this been the case in any other executive or judicial office?—Yes, when there was question of appointing a Judge of the Allahabad High Court a Bengali was recommended by the local Government for the post, and I heard many Native gentlemen in this country talking about it, and they never liked it; and when a Mahomedan gentleman was appointed to a similar post they were glad to get him.

935. Was he a Native of these Provinces?—He was a Native of Delhi.

936. Are applications for transfer of cases often made?—I have known many cases in which transfers of cases have been applied for to the High Court.

937. On what grounds, as a rule?—That the Judge had prejudged the case.

The *President.*

938. You said you would not allow men of low social status to compete. Are you aware that that would be a violation of the Queen's Proclamation?—Yes; but I have experienced the results of it.

WITNESS XIV.—*30th December 1886.*

Examination of Mr. RUSTOMJI of the Covenanted Civil Service, Joint Magistrate, Gorukhpur. *C. Rustomji, Esq.*

The *President.*

939. You are a member of the Civil Service?—Yes.

940. Entered by competition?—Yes.

941. In England?—Yes.

942. How many years ago?—I passed the competition in 1874.

943. You are a Native of Bombay?—Yes.

944. Have you been all the time employed in the North-West?—Yes.

945. In what capacity?—Assistant Collector and Joint Magistrate.

946. Have you worked in different districts?—Four districts.

947. Under separate district officers?—Yes.

948. What is the view taken of the present system of appointing Natives to the Statutory Service: is there any feeling of dissatisfaction?—I think there is a feeling of dissatisfaction.

949. Is that general, or is it limited to particular classes?—It is limited to the classes who were closely up to the test applied to Statutory Civilians themselves.

950. What is that dissatisfaction based on?—I think it is envy and jealousy more than anything else.

951. It is not based upon the system under which they are appointed, that they are appointed by patronage?—Not at all.

952. Nor on the pay?—I do not think so.

953. Nor on the provisions of the Statute?—I do not think so.

954. Do you yourself recommend any change in the Statute?—I would not recommend any change, but there should be some sort of educational test, such as members of the Covenanted Service are compelled to undergo.

955. Do you think the definition "Native of India" wide enough?—I think so.

956. Would you make any change in regard to subjects of Native States in alliance with the Crown?—No; I would not.

957. What educational tests would you apply for admission into the Statutory Civil Service?—The best way would be to nominate candidates in different Provinces, and have any test the Government thought fit. There should be some sort of competition, and first appointments should be made by competition; but it is not every man who should be allowed to compete.

958. On what principle would you select the names?—I would certainly look to family: that would be the first thing. I would look also to wealth, to see whether or not land-owners would take service under Government. I would take the educational test afterwards.

959. You have met a great many Statutory men—have you not?—No, I have only met one gentleman.

960. Do you think that after the Statutory men are selected, and after an examination has been held, the men then nominated should be sent to England?—They should be made to go to England certainly.

The *President*—contd.

961. You would not substitute for education in England a period of probation?—I would make them go through the same probation as selected candidates after nomination. I would give them the same allowance as English Civilians get after passing the open competition. When I was there they were paid £300 for two years.

962. Would you reserve power to appoint to the Statutory Service men of proved merit and ability in the Uncovenanted Service?—Yes; provided they were made to go regularly up the ladder from the bottom. I would not put them in the middle of the list.

963. Have you known many men who have gone to England, Native gentlemen?—When there I knew about five or six.

964. Have you met any out here?—I met one in Bombay: being in the North-West I have not seen many.

965. Have you any experience of the feeling in the North-West as to going to England?—No.

Mr. *White.*

966. Do you not think that the old Uncovenanted Servants of proved merit and ability were not very much dissatisfied with the method eventually adopted of recruiting the Statutory Civil Service?—I am not acquainted with the subject, so I cannot give you any answer.

967. Are you aware that in a published despatch the Duke of Argyll wrote to the Government of India that the more free employment of Natives of India in the Uncovenanted Service and promotion according to tried merit and ability from that service to the Covenanted Service seemed to be the best method of providing for the difficulty?—I have not seen that.

968. In the face of such a declaration by the Duke of Argyll, do you not think that the Uncovenanted Servants of proved merit and ability would have been extremely disappointed at the turn which matters took?—I do not think they should, because they entered the service with their eyes open. When they entered they knew exactly the appointments they would get. I do not see why the rules should be now changed to benefit a class.

969. At the same time every man looks forward to some improvement, does he not—increase of pay and so on?—Yes; of course. I do not think anyone dreamt when he entered the Uncovenanted Service that he would get an appointment from it to the Covenanted Service.

970. You are not aware of any disappointment?—No, I am not.

Mr. *Ramaswami Mudaliyar.*

971. The Statute of 1870 says men of "proved merit and ability" should be appointed to posts in the Government service. Do you think that has been complied with by the nomination of young men of untried merit or ability?

Mr. *Ramaswami Mudaliyar*—contd.

—I cannot say that. I have only been acquainted with one gentleman, a Statutory Civilian; but I think he fulfils all expectations.

972. That he was a man of proved merit and ability?—Yes; and I give you the opinion entertained of him by his higher officers—the Collector and Judge. I have not come across his work myself, so cannot say positively as to that.

973. Do you not think the Uncovenanted Servants of Government, who have established their character for ability and merit by long service, have good ground of complaint if they are not selected for these posts?—Yes, if they are willing to go to the bottom of the list.

974. The Statute says men of "proved merit and ability" may be appointed to posts reserved for Covenanted Civilians. Do you not think the Uncovenanted Servants, who have proved their ability and merit by long service, have ground for complaint if their claims are overlooked, and they are not appointed to these posts?—Yes; I think they would have some ground of complaint. When I entered the service there were thirty Judicial appointments and thirty Collectorships. Suppose you put a gentleman of the Uncovenanted Officers over my head into a Collectorship and another into a Judgeship, I think I have as good a ground of complaint as any one else. It gives me twenty-nine chances instead of thirty of each.

975. You said, men in the Uncovenanted Service entered with their eyes open. Did you not enter with your eyes open with that Statute before you which contemplated that men of tried "merit and ability" would be appointed?—I never thought of it when I entered the service.

976. Then you had no cause of complaint when you were appointed?—If I have not others may have. Suppose I had no ground because the Statute was passed in 1870, other men who passed before 1870 might have a ground of complaint.

977. Do you not think the Uncovenanted Service have a ground of complaint that their claims have been entirely disregarded?—I quite admit they might make it a ground of complaint, but every one enters Government service with his eyes open. If I enter a certain service with the knowledge that the highest pay I can draw is Rs. 800, there is no reason why, supposing a Statute was brought in allowing me to be a Sub-Judge or Collector, I should have a cause of complaint because I was not made a Collector or Judge.

978. Suppose there were men of tried merit and ability, would they have a serious cause of complaint?—If only men of tried merit and ability were admitted to the posts assigned to the Statutory Service I admit they would.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

979. Are you aware of the meaning legally attached to the phrase "tried merit and ability" by the Law Officers of the Crown?—No; I am not.

980. Are you aware that these Statutory Civilians, after their appointment, have to undergo a certain examination before they are confirmed?—Yes; the same examination that we have to pass after we come out to India.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur—contd.

981. What examinations are they?—A simple examination in law, police work, revenue, and rent law. There are only four subjects, and one examination is held every six months. You can pass separately in each of the four subjects if you like.

982. Do you not think that a man who has passed the lower and higher standards successfully has undergone a sufficient test of efficiency?—He might have just for the work before him, but I think his character should be formed, and I would recommend that he should be sent to England.

983. Would you require an additional test of education?—I would before they were admitted. I would admit the best educated men, and would then put them through the same probation that all have to go through at the present moment.

984. Would it not be well to train the best educated men of the higher families—families that had the largest interests in the land?—I think the best families should be considered, and those who came first in the educational test I would prefer.

Mr. *Stokes*.

985. Would you like the examination by competition to be provincial?—Yes.

986. Have you felt any difficulty arising from the fact that you belong to Bombay and not to these Provinces?—Not at all.

Mr. *Peacock*.

987. You went to England at what age?—A little after I was eleven years of age.

Sir *Charles Turner*.

988. Your father is still in Bombay?—Yes.

989. You say that you consider good families entitled to very great consideration in making nominations?—Yes.

990. On what ground do you think that it is desirable?—The appointments would be ultimately looked up to more by the Natives of the Province, and the men appointed would be appreciated too.

991. Are there many influential families in the districts in which you have served?—No; I cannot say so; my work has been principally in the Eastern districts. The whole of my work has been in the Benares division, with the exception of about three years.

992. When you say the recruitment should be made from good families, to what districts in the North-West Provinces do you refer?—Further to the North-West there are high families, and appointments from them would be much appreciated.

993. With regard to Native States, have you any personal knowledge of their administration?—No; none at all.

994. Would you desire to see there the same efficiency in administration that we have in our Provinces?—I should; but I do not see why the Natives in Native States should have the same rights as Natives in our dominions. There would be a difficulty in carrying out the Statute, if my system were adopted of appointing Uncovenanted men only to the lowest posts.

995. There would be a difficulty. You appreciate that?—Yes; I do.

The *President.*

996. Have you heard any dissatisfaction expressed as to the mode of recruiting for the Covenanted Service?—Yes.

997. What are the objections?—Only as to age.

998. What is the general complaint?—That the age should be just the same as it was when I was admitted, from seventeen to twenty-one.

999. Do the Natives in India look favorably upon the competitive system in England?—I do not think there is the slightest dissatisfaction expressed.

1000. Have you never heard any complaint about the marking of subjects?—No; nothing like that.

1001. Can you say whether the Natives of the North-West go readily to England?—I have seen lately that they go a little more readily, and some two or three gentlemen have lately come out as Barristers.

Sir *Charles Turner.*

1002. Do you know the Jaunpur District?—Yes.

1003. Do you know that no less than three brothers went to England from that district?—Yes; I know the family.

1004. There are now Mahomedan Barristers of the High Court of this Province?—Yes.

1005. And the sons of other Mahomedans are now receiving their education in England?—Yes; I think there are two others at the present moment in England.

1006. Would you make any alteration in regard to the subjects?—No; I would not, except perhaps the inclusion of the Persian language. I would do that, not to favor the Natives, but because I think it is a language it would be well for Englishmen to learn before they came out to India, and that it would give a stimulus to learning that language. I would place it among the optional languages.

1007. Would you have an examination in India?—No; I do not think I would.

Mr. *Crosthwaite.*

1008. Why do you not approve of the examination in India?—It would probably admit men who would only pass the educational test, but be otherwise unfit for the service.

Mr. *Ramaswami Mudaliyar.*

1009. Would you not limit the competition, as far as Natives are concerned, to those belonging to good families?—No; I would not. I would make it perfectly open. I think that is a great feature in the competition in England, that it is open to everybody.

1010. And you would limit the service in India to men of good families?—In India, Yes. I know a case in my own class where a Chetty passed, who had been there only seven or eight months. He belonged to a good family.

1011. Would you not say that every man of good family should compete in England?—No; I would not. It is not every family that could send its sons to England. You must have a certain amount of standing and wealth before you can send them. The mere fact of a man being sent to England must show that his family has a certain amount of standing and wealth. I would not provide for cases where candidates were sent home by means of subscriptions raised. I would leave it perfectly open and free, just as at present.

Mr. *Ramaswami Mudaliyar*—contd.

Mr. *Nulkar.*

1012. You say that those who go to England to compete, from the very fact of their going there, should be taken as belonging to respectable families?—I say the probabilities are in their favor.

1013. How can you say they are men of family—because they have money?—Generally people of low families could not afford the expense, and the educated families would send their sons to England.

1014. You say high education is necessary to pass the examination. Where is the difficulty in passing in India if they are men with that qualification?—I do not think they would receive the same moral training here that one gets in England.

1015. You know that when the rules under which the competition is held were framed Lord Macaulay wrote a great deal about them, but said nothing about moral education, he wrote of high education in England. There is no moral test suggested, so far as one can judge by the examination. All that is expected is that a candidate should pass?—And you must produce a certificate of good character.

1016. You get the same in India?—Detailed enquiry is made into your character after you pass the examination.

The *President.*

1017. What is your reason for saying you could not have an examination in India?—Because there is no guarantee of moral character.

Mr. *Nulkar.*

1018. You have told the Commission that you have not heard of any dissatisfaction with the present system of free competition?—Except as to the age. I have heard in India complaints about the age.

1019. You are aware that there have been complaints for the last twenty years; that seven or eight years ago petitions were sent to Parliament from almost all parts of India, both against the reduction of age and the examination being confined to England; are you aware of that fact?—I believe they have been sent.

1020. And that the question is being agitated at the present moment?—Yes.

1021. And yet you told us some little time ago there was no dissatisfaction felt with the system?—I said there was dissatisfaction. I do not think there is so very much dissatisfaction. About the age there is, most distinctly. I was in Bombay some years ago, and the only complaints I heard were about age; they did not want the examination in India; they did not want the age reduced as it was reduced.

Mr. *Stewart.*

1022. You would introduce Persian into the examination?—Yes.

1023. What opportunities are there for young men to learn Persian?—There are opportunities in India.

Mr. *Stewart*—contd.

1024. Do you think an ordinary boy from school would take to Persian?—No.

1025. Would that not be of some little disadvantage?—It would to those candidates brought up in India, but I would admit it simply for the sake of the study of Persian.

The Hon'ble Mr. *Quinton.*

1026. What age were you when you went up?—My age was taken on March 1st. I was nineteen on March 8th, and I was put down as eighteen. My age at the time of examination was really nineteen.

The Hon'ble Mr. Justice *Mitter.*

1027. The chief ground on which you say there should not be an examination in India is, that in your opinion a long residence in England would be necessary to secure character, such as, in your opinion, candidates have who present themselves at the competitive examination?—Yes.

1028. Having regard to the educational standard found in this country, what time do you think would be required for a man who has a collegiate education in India to study in England before he could pass the open competitive examination?—I am not aware how far studies go in the chief centres, such as Calcutta. I cannot answer the question.

1029. Do you think a residence in England would ensure what you require?—Yes; they should undergo the same training as a candidate who goes in for the open competition.

1030. Taking the majority of students that pass in this country, in the colleges, would you think a residence in England for five years sufficient? Before the open competition or including the whole period?—Including the whole period four or five years would be ample.

1031. Supposing the examination in England, and that those candidates who pass from India were required to study in England for four or five years, would you have any objection to their studying in India?—No.

Mr. *Crosthwaite.*

1032. In speaking of the necessity of an English education, what qualifications do you refer to?—By examination you cannot test character or courage. I would make courage a necessary qualification. It would never do to have a coward Collector or a Judge. Such qualifications cannot be certified to. I cannot say a man is firm until I have actual experience of him myself.

Mr. *White.*

1033. You are in favor of recruiting from good families in India?—I am not in favor of recruiting from good families in India. I would leave it perfectly open just as at present. For every good candidate I would make it perfectly open.

Mr. *Ramaswami Mudaliyar.*

1034. You suggested that Persian should be added: was that to favor the Natives?—In suggesting that Persian should be added, I did not do so to favor the Natives. I think Government should carry out their own views. I would not object to a familiarity with Vernacular languages

Mr. *Ramaswami Mudaliyar*—contd.

in the case of Natives. I do not know what marks are given for Arabic and Sanskrit. In my time it used to be five hundred each, and in Latin and Greek seven hundred and fifty. I do not think there would be any objection to raising the marks for Arabic and Sanskrit to eight hundred. I would make Arabic eight hundred: Sanskrit six hundred. Arabic is a living language, and it is more necessary to acquire it than Sanskrit, which is a dead language. Men in India should know Arabic. It would give a man a great insight into Mahomedan character.

The *President.*

1035. Is it because you think Arabic more useful that you would give higher marks to it than to Sanskrit?—Yes.

1036. How would you recruit the Uncovenanted Service?—I would recruit it from all natural-born subjects of Her Majesty. I am aware that there are orders forbidding certain classes of Her Majesty's subjects being employed in posts over Rs. 200 a month without the sanction of the Secretary of State. I cannot say what effect that has had upon the Uncovenanted Service. I think I would have some sort of open competition so as to admit all outsiders. I would have a certain number of appointments for those that did well in the open competition. These appointments would be in all grades.

1037. Do members of good family enter the service freely? And do members of the professional classes do so also?—I have seen some of good family who have asked for Tahsildarships. In Jaunpur a member of the ex-Royal family of Delhi was seeking a Tahsildarship. Members of the professional classes seek employment in the Uncovenanted Service. Pleaders who get high fees are anxious to take Munsiffships, the pay of which is less than half what they draw from their practice. I think they consider the Government service gives a certain amount of *izzat*. Pension would be an object but *izzat* is the leading thing.

1038. Would you recruit for the Uncovenanted Service provincially or for all India?—I would recruit for the Uncovenanted Service from each Province separately, otherwise you might get one Province filled with residents of another. The object should be to give the residents of each Province all the chance possible. They have greater sympathy with the people if they reside among those of their own Province. Among the higher officials there would be greater readiness to carry out the wishes of the people. Assuming the Statutory Service abolished, I am not prepared to answer what I would do with the present incumbents.

Mr. *White.*

1039. You say in recruiting for the Uncovenanted Service you would also recruit from all natural-born subjects; that of course would increase the applicants for employment?—Recruiting from all natural-born subjects of Her Majesty for the Uncovenanted Service would increase the applicants for employment. I would by all means favor any measure for extending the number of appointments to be given to the larger area from which I should have to select.

Mr. *Ramaswami Mudaliyar.*

1040. By natural-born subjects do you mean to include undomiciled Europeans? Would you like to see them appointed in large numbers to the Uncovenanted Service?—I would not like to see undomiciled Europeans employed in the Uncovenanted Service in large numbers. You must pick out the best men—that is all Government are concerned with: the best men to be obtained on the spot in the Uncovenanted Service—that is all Government should look to. I would leave competition perfectly open. It might give dissatisfaction to be ruled over by men of low position. When a man is put in a superior position you must obey him whether you like him or not. I do not think any action on the part of Government can allay all dissatisfaction—that is impossible. It would not give satisfaction to be ruled over by "upstarts." I would leave the system as it was. One cannot look to every appointment. I would not care much for men of good family. For the Statutory Service I would take men of the same position as the Uncovenanted Service. Up to the present time the Covenanted Service has been recruited with honor. I would not say it is a requisite that a man should be of high family to enter the Covenanted Service.

The *President*

1041. The practical effect is that the service is looked up to in India?—Yes.

Mr. *Ramaswami Mudaliyar.*

1042. For Englishmen there is no such requisite as that he should be a member of a good family?—No.

1043. For men going to England there is such requisite. For men appointed to the Subordinate Service it should not be necessary?—No. The Statutory Service takes the same position as the Covenanted Service, which has always been looked up to up to the present time. I would introduce no changes into that without very great care.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

1044. Do you know whether the feelings of the masses in India are more radical or conservative?—I am not prepared to answer such a question unless I am told more particularly what is meant. To a certain extent they attach importance to the traditions of family, religion, &c. They attach great importance to education. I would not like to give the proportion of those of conservative feeling to others. I would not like to answer whether the people of these Provinces are in such a position that they would be satisfied to be governed by men who are radical in their views without reference to their religious feelings or caste or birth.

Mr. *Peacock.*

1045. Do Pleaders readily accept Munsiffships, and is it desirable they should do so?—Yes; I do not think if we left the door open to entering Government service by means of competitive examinations, they would be deterred from going in for such appointments. As they go in for open examination, they would go in for competitive examination. I know lots of Pleaders who have been taken in as Munsiffs. I cannot say at what age,—after four or five years at least as Pleaders.

Mr. *Peacock*—contd.

The Hon'ble Mr. *Quinton.*

1046. Your knowledge of India is limited to the North-West Provinces?—Yes?

The Hon'ble Mr. Justice *Mitter.*

1047. You said you would recruit for the Uncovenanted Service provincially—for a Province from a Province?—Yes; I would admit all residents in a Province. I would go even farther than domiciled. If a man took up his abode within the North-Western Provinces by all means let him compete, if he is permanently resident in the Province.

Sir *Charles Turner.*

1048. Do you think it desirable that the Judicial Service should be recruited from Pleaders who have had experience in their profession?—I think it desirable that the Judicial Service should be recruited from Pleaders who have had experience in their profession. I think a man of twenty-five or thirty would not enter by competition. I think the Judicial Service of the Province might be recruited from Pleaders. I have heard of the efficiency of Munsiffs appointed in that way very well spoken of indeed. I think Natives would prefer an efficient Judge of education to an inefficient Judge of high family, especially if they had a case before an inefficient Judge.

Mr. *Stokes.*

1049. Do you think that Pleaders should compete up to thirty years?—No; I would admit them straight.

Mr. *Peacock.*

1050. You think competition would not be an advantage?—Not in the case of Pleaders. I would reserve a certain number of appointments for Pleaders and others who had proved their ability.

Sir *Charles Turner.*

1051. Are you aware that it is generally the practice in these Provinces to appoint candidates to officiating appointments in the first instance, and that upon the result of their work as Officiating Munsiffs depends their confirmation in the service or rejection?—Yes; I know that.

The *President.*

1052. Have you studied the questions of pay and furlough?—No; and I have no opinions to express upon them.

WITNESS XV.—*31st December 1886.*

Syad *Fariduddin*

Examination of Syad FARIDUDDIN, of the Uncovenanted Service; Subordinate Judge, Agra.

Sir *Charles Turner.*

1053. You are a Subordinate Judge of Agra?—I am.

1054. You were appointed to that post in 1875?—Yes, I was appointed on 1st July, 1875.

1055. And before that you practised for many years in the Sudder Court?—Yes.

1056. For how many years?—From 1855 to 1874.

1057. Do you know whether the existing system of recruiting Natives for the position of Statutory Civilians for posts reserved for the Civil Service is approved?—The educated classes do not approve of it.

1058. On what grounds do they disapprove of it?—The first reason is, that members of the Statutory Service have not the same status as members of the Civil Service; secondly, they are not so well educated as members of the Civil Service ought to be, and they have no experience. There is also a distinction between English and Native officers, which is very objectionable to Native feeling, distinctions in pay, leave rules and in many other matters. There is also a distinction in social intercourse.

1059. What remedies do you propose for these objections?—I think they should be selected from the Uncovenanted Civil Service, and if the Statutory Service is retained, I would select for it from the Uncovenanted Service.

1060. Do you think there is no political reason for retaining the Statutory Service in order to secure in the administration of the country the co-operation of some influential families?—That is essentially necessary. Selection from men of good families is essentially necessary, and that appears when they have done their work properly.

1061. Then you would only select men of good family who had already shown their capacity in the Uncovenanted Service?—If the Statutory Service be retained, that is the only way of recruiting it.

1062. If the Statutory Service is retained should the selected candidates be required to proceed to England for training?—It is not essentially necessary to send them to England either for training or to enable them to acquire their knowledge; but that they may learn English customs, and social habits it is desirable.

1063. I believe you have two nephews whom you treat as your sons, and that you have sent them both to England for their education?—Yes.

1064. One you have educated at the University of Oxford and one at the University of Cambridge?—Yes.

1065. And both are now members of the English Bar?—One is now practising at Lucknow and one at the High Court.

1066. Was the expense serious?—It was.

1067. Has the education which has cost you so much resulted to your entire satisfaction?—In a high degree.

The Hon'ble Syad *Ahmed*, Khan Bahadur.

1068. Was it not possible to give your nephews the same training without sending them to England?—It was not possible.

Sir *Charles Turner.*

1069. Is any dissatisfaction felt in this Province with the existing system of recruitment for the Covenanted Civil Service?—There are two objections, first—as to age; and second that the marks assigned to Arabic are not the same as for European classics. For Mahomedans Arabic, and for Hindus Sanskrit should be raised to the same standard and number of marks as Latin and Greek in the case of Englishmen.

1070. What do you think should be the age for candidates?—In no case below twenty-one.

1071. And what should be the highest limit?—Twenty-one to twenty-three.

1072. Do you consider it necessary to afford assistance to people who desire to go to England for competition either by the grant of scholarships or the payment of passage money?—If the Government finances can afford it.

1073. Then you would prefer to rely on the liberality of your countrymen?—All respectable men would wish to spend their own money in sending their sons.

1074. Would you hold an examination in India as well as in England for the Covenanted Service?—There should be one examination only, and that at one place that Government might select.

1075. Which would you prefer, England or India?—England.

1076. On what ground?—If I wish to run the same race as Englishmen; I should have the same training. I would not have any special privileges.

1077. Do you think that the youths obtained under the present system in England are as good as can be obtained under any system?—I do not know any of them, and therefore I cannot express any opinion on the point.

1078. Do you know of any young men whom you think would be competent to pass the examination in England, but who are deterred from proceeding there by poverty or other causes?—There must be many young men of the sort, but I cannot name any now. There are many young men who are deterred by poverty and by age, and who would, if they went, be likely to pass.

1079. Is there any great objection on the part of Mahomedans in the North-West to go to England?—Neither Mahomedans nor Hindus have any objection to go.

1080. That was not the case twenty years ago. There was then an objection on the part of Mahomedans to learn English?—Twenty years

Sir *Charles Turner*—contd.

ago Mahomedans used to consider it a very bad thing to associate with Englishmen, much less to go to England or to learn English.

1081. That feeling against learning English has disappeared I believe?—My friend, Mr. Sayad Ahmed, has removed that impression from the Mahomedans.

Mr. *Stewart.*

1082. Did you find that these young men when they returned from England had lost their sympathy with the people or felt they were in any way above them?—I did not find any such thing as regards my boys.

1083. What age were they when they went home?—One was in his eighteenth year and one was in his twentieth.

1084. Do you never think of sending them up for the Covenanted Civil Service?—I did not think them clever enough, and another reason was their age.

Sir *Charles Turner.*

1085. Was Syad Habibullah, who was examined by the Commission, your nephew?—Yes.

The *President.*

1086. Would you promote from the Covenanted to the Uncovenanted Service?—If men are competent they should be promoted.

Sir *Charles Turner.*

1087. Should the Uncovenanted Service be recruited only from Natives of India as defined in 33 Vic., Chap. 3, or from all natural-born subjects of Her Majesty?—I would confine it to the Natives of India.

1088. Would you recruit the Uncovenanted Service by competition, or by nomination, or by a combination of both systems?—I would recommend a limited competition.

1089. Even for Tahsildars?—I would apply it both to the Judicial and Executive line.

1090. Do you mean that you would make persons compete for the office of Munsiff by examination?—I am of opinion that after certain tests of qualification, by examination or otherwise, the men selected as fit for the appointment of Munsiff should be subjected to another examination as between the selected men.

1091. Would you have gone up yourself for competitive examination when you were forty?—For men of experience an examination is unnecessary.

1092. Then for the Judicial Service Pleaders of experience would not require examination?—If they have proved their merit either at the Bar or as Pleaders or in the Uncovenanted Service, they should be selected.

1093. Your system would be partly nomination, partly competition?—Yes. For new men there should be competition; for experienced men selection.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

1094. Open competition or limited?—Limited.

Sir *Charles Turner.*

1095. What do you mean by limited competition?—There should be first a test of education: a certain standard of education should be required from every man; there should then be a preliminary examination, and after that a competitive examination.

1096. That is to say, you would add competition to the rules already framed by the High Court in the case of young men entering the service?—Yes.

1097 For Tahsildars' appointments what system do you advocate?—I would have a similar examination for Tahsildars, the same selection and nomination. I would apply the same rules to Deputy Collectors also. Selection should be made from men already in the service, who have proved their merit, and who at the same time possess proper educational attainments. These are the men from whom selections should be made. If they were not so appointed there must be an examination.

1098. Would you recruit provincially for the North-West, with reference to residence, or would you throw open the appointments to the Natives of all India?—I would limit it to one Province, because if there was open competition it would cause discontent.

1099. On what ground?—This country should not be regarded as peopled by the same people, but each Province should be regarded in the same light as Belgium, Italy, France or Spain.

The *President.*

1100. Do men of good family enter the Uncovenanted Service freely?—Men of good family have hitherto been appointed to these posts, and if men of good family were recruited, it would be better for the service. Indians have the misfortune to think good family an essential qualification.

1101. Would men of good families be able to hold their own in the competition, or are they equally advanced in education with other classes?—The time is passed when they would be able to compete.

Sir *Charles Turner.*

1102. Are there many families whom you would call families of influence in the North-West?—There are many such families known to Civilian officers, but I would not name any.

1103. You cannot name any?—I will not name any. There are some families who have influence among the people, and they are well known to Civilian officers of the Province.

1104. Can you give us the name of the districts in which such families are to be found?—There are old families in Oudh, the North-West, Bombay, Madras, and Central India.

1105. When you speak of families of influence, do you mean *Raises*?—I would not confine them to *Raises.* There are other qualifications among men of high family: there were some very learned men. Among some families for ten generations there have been men of learning.

1106. Not necessarily among Hindus of the high castes?—Hindus have the misfortune to give learning to men of the highest castes only.

1107. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service, according as the posts are held by members of that branch of the service or by members of the Statutory or

Syad *Fariduddin.*

Sir *Charles Turner*—contd.

Uncovenanted branches?—If they were admitted into the Civil Service there should be no distinction of pay. Any distinction would be very undesirable. Englishmen would have no advantage, though there might be some saving to Government in its finances.

1108. But do you think you could get good men from Hindustan on less pay than you could get good men from England?—Yes; they could be had. Natives of the country equally able could be obtained on smaller pay. If you take the same amount of work from two workmen and pay one two annas and the other four annas, it is an indignity to the one to whom you pay two annas.

Sir *Charles Turner*—contd.

WITNESS XVI.—*31st December 1886.*

Examination of the Hon'ble DOUGLAS STRAIGHT, Barrister-at-Law; Puisne Judge, High Court, Allahabad.

The Hon'ble *Douglas Straight.*

Sir *Charles Turner.*

1109. I have a been Judge of the High Court of these Provinces since 1879.

1110. Have you considered the subject of the Statutory Civil Service?—I know nothing about it.

1111. Have you considered whether the existing system of appointments to the Statutory Civil Service is in substantial compliance with the Statute?—I can give you little information of value upon the point. If I may venture to say so I would rather you confined my examination to judicial matters.

1112. Could you give us your opinion as to any changes affecting the Judicial Service which you think would be of value in enabling the Commission to determine to what extent Natives of this country may be admitted to a larger number of offices in the public service?—The Subordinate Judiciary is almost entirely recruited from Natives of the country; that is to say, the posts of Subordinate Judges consisting of three grades, and the posts of Munsiffs, which also consist of three grades, are now filled by Natives, and lately there has been, to some extent, a departure from former practice by filling up the Small Cause Court Judgeship at this station by a Native Subordinate Judge. At the present moment there is only one small Cause Court Judgeship, that of Dehra Dun, that is filled by a Covenanted Civilian.

1113. You have hitherto been speaking only of the administration of Civil Justice?—Purely of Judges having both Civil and Criminal Jurisdiction, I think there are nineteen what may be described as permanent appointments, and thirteen officiating appointments, that is accordingly to the Civil List of this year on the 1st January. If my memory serves me right there were nineteen gentlemen who may be considered actual Judges of the first, second and third grades, and these all hold posts reserved for the Covenanted Civil Service.

1114. Could any of these posts, in your opinion, be thrown open to Natives?—It would depend a great deal upon whether you preserve the existing order of things in the disposal of business, or whether you separate the administrations of Criminal from Civil Justice. If you are going to separate the trial of civil cases from the trial of criminal cases, my own strong conviction is that you should allow all the civil cases to be tried by Native Judges.

I think that they have a singular aptitude for that class of cases, and as the material at our command improves, I think we shall get the work very well done indeed, and to the satisfaction of suitors. I do not think that as a rule the civil work is well done by the District Judges—I say it without the slightest desire to give offence—and the reason it is not well done is obviously that they have had no special training for it. The large majority of our Native judiciary now, or

Sir *Charles Turner*—contd.

a great number of them, are men who have either practised as Pleaders or been officials in the various courts of the Province and so have had more or less experience of civil work. But you take gentlemen from the Covenanted Service, and you set them down as Officiating District Judges, as a Court of Appeal, from an experienced officer. I know one instance where an able young Civilian, with little or no experience, except as a Small Cause Court Judge for a short time, was sent down to try appeals from a very experienced Subordinate Judge: that would naturally place him somewhat in a difficulty, because not having had much practice in the Courts below, and not having much knowledge of the Law of Evidence, he would hesitate considerably in dealing on appeal with the judgment of such a Subordinate Judicial officer as I have mentioned. I should entrust the civil administration to Native Subordinate Judges and Munsiffs: of course criminal justice would have to be disposed of by a certain number of District Judges, and my impression is that the proper way to do that, and it would be very useful, is to require the District Judges to travel on circuit instead of sitting to dispose of civil appeals; I would divide the Province into so many districts and let the Covenanted Civilian Judges travel on circuit from time to time. It is of great advantage that criminal cases should, as far as possible, be tried by European officers, because I say, without any desire to give offence, that from what I have seen of the criminal work done by Native Magistrates it is not well done. There are rare exceptions. I do not mean to say that with experience and greater opportunity they might not improve, but the criminal work is not done well. Natives have a special aptitude for trying civil cases, but they do not try criminal cases with the same ability.

1115. With regard to District Judges does the District Judge exercise any sort of supervision over the other Courts of the District?—He is the responsible person to whom we look.

1116. He would be the person who would have to bring to notice any slackness?—Yes, and he may suspend a judicial officer pending the orders of the High Court.

1117. Do you not think the presence of an English District Judge in a district gives confidence to his Subordinate Judges and Munsiffs to be independent?—The only way I can answer that is by saying that so much depends upon the District Judge.

1118. Have you heard that objections were taken by the residents of the district of Jaunpur to the abolition of the European Judgeship, and can you say what those objections were?—I cannot say.

1119. Are you not aware that it was objected on the part of certain members of the North-West Provinces Bar who held property in the

The Hon'ble *Douglas Straight.*

Sir *Charles Turner*—contd.

district of Jaunpur that the independence of the subordinate judiciary was greatly protected by the fact of having an English Judge there?—In answering the questions addressed to me I am speaking of the present moment; but it is quite certain from what I know that the quality of our Native judicial officers has improved and is largely improving. There is a greater sense of independence. To use the word in an inoffensive sense there is now more self-assertion, which is what a Judge wants; and as far as I have seen of the Native Judges they are largely improving. My own impression is that the true way in which to improve the subordinate judiciary is to entrust it with much more power.

1120. Now as to nomination or competition, what is your opinion?—On the question of promotion I am altogether opposed to promoting on the bare ground of seniority. I think it is very desirable that those who have the appointment of judicial officers should have an opportunity on the recommendation of the High Court of selecting such persons for special appointment as they may think most competent.

1121. Are you aware that many of the Civilian District Judges have been previously employed as Settlement Officers?—Yes.

1122. And that Settlement Officers are at times obliged to enquire into and decide very intricate cases of title?—Yes very; in cases of partition under the Revenue Laws they have now to try questions of title; I have seen some work most admirably done.

1123. As Criminal Magistrates they have some experience in the law of evidence?—Yes.

1124. They also try rent cases?—Yes.

1125. In this Province I believe at the present time there has been a separation of the executive and judicial branches of the Covenanted Civil Service?—I believe some arrangement was made in the time of Sir George Couper, but I do not myself think it has worked satisfactorily. I cannot tell you the result. I think I may say this, I hope I may not be misunderstood, that the Judicial Service does not appear to attract the very best men of the Covenanted Service, which is what I should like to see, because I hold that anything more important there is not in this country than a proper administration of criminal justice.

1126. Is it not the case that prizes for officers in the executive branch are more numerous than those for the judicial branch?—They certainly are.

1127. The judicial prizes are limited to two or three Judgeships in the High Court, the executive prizes are far more numerous?—Quite so.

1128. You mean the Commissionerships, Board, Council and Lieutenant-Governorship?—Quite so.

Mr. *Crosthwaite.*

1129. There are two Judgeships on Rs. 3,000?—There are two Judges on Rs. 3,000 a month, one of whom, Mr. Harrison, is of thirty years' standing; the second grade receives Rs. 2,500; and the third grade on Rs. 1,833. Collectorships are worth over Rs. 2,000 if I recollect. The third grade Judges are more unfavorably situated. These are all more or less men of considerable standing in the service; they get Rs. 1,833. Their

Mr. *Crosthwaite*—contd.

juniors are District Magistrates. I think I am correct in saying that there are instances in which gentlemen in that grade are in that position.

1130. You say you consider the work of the Native Magistracy is not good?—I do not call it good. You must understand these assertions are subject to individual instances of work well done, but I think it is not on the whole done well.

1131. Not so well done as by Europeans?—Certainly not.

1132. Have you had any applications for transfer of cases made to you as a Judge of the High Court?—I think such applications are now rarely made to me; they are made to some other Judge, as I will not transfer cases except under very strong circumstances indeed. Sweeping assertions are always made in support of these applications, and I require that they should be supported by affidavit; and in two or three cases I have warned people that I should direct proceedings to be taken against them if their allegations were shown to be unfounded. It is a misfortune of the country that there is so strong a tendency of Natives to impute dishonesty to each other, especially to Native officials in position. A large majority of the applications for transfer seek the transfer of cases from the Courts of Native Magistrates or Judges.

1133. To what Courts is it sought that the transfer should be?—I think in half-a-dozen instances to a European Magistrate.

1134. Have you had cases in which applications have been made for the transfer of a case from a European to a Native Magistrate?—I have never had such an application as that. I have had applications for transfer from European Magistrates' files on the ground of strong bias during the proceedings against parties; and several applications have come up recommended by the Judge himself.

1135. Was it asked that the transfer should be made to a European or a Native Court?—I never had an application to transfer a case from a European to a Native—never; the application from the European Judge is where he has sanctioned the prosecution of a man, and on conviction his appeal has gone to his Court. There it has been asked that the appeal should be taken to some other Court.

1136. Are the applications for transfer in civil cases numerous?—No. In the course of some years we may have had a dozen from all Courts. I should not think more. I am not talking about cases of transfer when made on such grounds as the convenience of parties, or that the case was of too complicated a nature to be tried by a particular Court.

Sir *Charles Turner.*

1137. If the criminal functions of District Judges were taken from them and placed in other hands, should all the civil work of the country be entrusted to the Native judiciary?—The difficulty, as I understand it, is this that Covenanted Civilians have a lien on the appointments of District Judge. I would abolish that lien. I would throw District Judgeships open to every Pleader or Barrister of the High Court who had practised for ten years; and to every

Sir *Charles Turner*—contd.

Subordinate Judge of ten years' standing who was recommended by the High Court as a fit and proper person to be a District Judge. Ten years' standing would be better than less than ten years. In course of time your Subordinate Judges will not be such good men as now, promotion will be quicker; I would not confine the District Judgeships as at present to Covenanted Civilians.

1138. What would you do about the High Court?—If you get a proper class of District Judges, of the kind I have mentioned, you will have material to man your High Court. Of course you will have to amend the Charter.

1139. But do you not think it is desirable to have some Civil Judges appointed from the Covenanted Service on the Bench of the High Court?—I think it necessary.

1140. In the opinion of English Barrister Judges, have not many members of the Covenanted Civil Service been regarded as distinguished members of the High Court Bench?—Most undoubtedly. If you throw open the District Judgeships generally, you may retain for the Covenanted Civil Service a certain number of appointments, say as many appointments as are required to train men for the High Court, and this would also have a good effect in maintaining the prestige which attaches to the office of District Judge.

1141. It would perhaps be desirable from time to time to substitute an English Covenanted Judge for a Native Uncovenanted Judge in a district and *vice versâ*?—Quite so.

1142. Now, with regard to the Munsiffs of this Province, the educational qualification is lower here than in some other Provinces; and I believe it is the practice to nominate the most efficient men from the list of candidates?—Yes. The nomination is made on the recommendation of the High Court.

1143. Are the educational qualifications required in this Province unduly low?—Very low.

1144. Would it not be possible now to raise those qualifications?—I think they ought to be raised. Every man who goes into the Subordinate Judicial Service, at the start should hold the degree of Bachelor of Law; that involves a certain educational standard. You must have taken a degree in Arts to obtain the degree of Bachelor of Law, if I remember aright.

1145. Would you raise the educational qualification to that standard?—I would indeed.

1146. Was not one consideration which induced the High Court to maintain a low standard of educational requirements this, that the Mahomedans had not made as much progress in education as the Hindus?—So I have been informed.

1147. In order to maintain a considerable representation of Mahomedans in the judiciary?—Yes.

1148. With regard to the appointment of Munsiffs, I believe you still nominate in some instances the clerks in the High Court and District Courts?—Yes, but I may say that while I was acting here as Chief Justice last year, I intimated to the clerical staff of the High Court that they must, as far as I was concerned, never in future look forward to being nominated necessarily, because they had been officers of the Court.

Sir *Charles Turner*—contd.

1149. You prefer that all nominees should have the same educational qualification and technical training?—Yes.

1150. In the Judicial service how far should promotion to the higher posts be regulated principally by merit or by seniority?—Most undoubtedly by merit. Munsiffs should be promoted out of the highest grade to Subordinate Judgeships by merit, but up to that grade by seniority; you want some experience of a man to be able to judge whether A. is better absolutely than B.

1151. In nominating Pleaders what experience has the Court had of their capacity?—In the course of a couple of years you may form some judgment of the men who practise before you; we do so in the High Court. And in nominating Pleaders from the District Court, we are guided by the opinion of the District Judge?

1152. In recommending Munsiffs for promotion, are you not influenced by the annual reports made by the District Judges?—I never read them. Mr. Justice Oldfield perhaps reads them. He has all the dirty work, if I may so call it, the hard work.

1153. Is there not a register kept in the High Court in which the characters of the Munsiffs as reported by the District Judge year by year are entered?—I have never seen it, but I think if I run down the list of Munsiffs, I could tell you how the work was done pretty well by all of them.

1154. I think there are in the Judicial service in these Provinces some gentlemen born in other parts of India, for instance Bengalis?—Yes, a very few, and those do their work admirably well. We have not only Bengalis but some persons born in the more northern Provinces—in all about half-a-dozen.

1155. Do you find those gentlemen are quite equal to the best of the Judicial Officers you have?—Yes. Comparisons are odious. But I think I am bound to say frankly that I do not think any Judges do their work better than the Bengali Judges.

1156. Would you advocate a rule excluding these gentlemen from the Judicial service of the Province?—That is a question that it is very difficult for me to answer. What we are anxious to get is the best article to do the judicial work, so that we may have confidence in the tribunals under us. I do, however, think that we should confine, as far as possible, our judicial appointments to the Natives of these Provinces.

1157. Would you recruit the Uncovenanted Service from all natural-born subjects of Her Majesty, or would you confine it to Natives as defined in the Statute 33 Vic., Chap. 3?—I do not know quite what the Uncovenanted Service means. [The *President:* Deputy Collectors, Tahsildars, Munsiffs and Subordinate Judges].

1158. Suppose gentlemen came from England to these Provinces and practised for a year or two, then would you say they were persons who should not be admitted to compete for the judicial appointments subordinate to the High Court?—No, I should not say so at all. I should think it extremely unlikely that gentlemen coming from England would accept the post of Munsiff. I consider it extremely under-paid, and that it

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The Hon'ble *Douglas Straight.*

Sir *Charles Turner*—contd.

is difficult with the pay to get the article we require. But in answer to the question I would not limit it. I would certainly allow every competent Eurasian that came up to the educational and professional standard to compete.

1159. Then you would recruit for Munsiffs from all natural-born subjects of the Crown?—Yes; one gentleman came from England and we appointed him as second grade Munsiff, Mr. Suraj-ud-din, a Barrister.

1160. Is it true that a Eurasian, when he applied for an appointment of Munsiff, was informed that such appointments were not given to Eurasians in these Provinces?—Yes.

1161. Is that so?—There is no written rule upon the subject, but certainly as far as my recollection is concerned, there has always been an understanding in the Court that Natives of pure Asiatic birth are to have the appointments. I myself recollect, I think, two or three instances when that certainly was the general feeling of the Court.

The Hon'ble Mr. *Quinton.*

1162. Is there any Eurasian among the Munsiffs and Subordinate Judges?—I do not think there is.

Sir *Charles Turner.*

1163. Was not a Mr.——rejected on the ground you have mentioned?—As far as my memory goes he was.

1164. And was he immediately afterwards appointed a Deputy Collector?—Yes.

1165. And do you say that that rule or practice should be maintained?—I do not say it should be maintained.

1166. Does not that practice contravene the provisions of the Statute that no man should be held disqualified for an office in the public service merely by reason of his descent?—Yes.

1167. And is it not so far as Eurasians are concerned, in contravention of the object of 33 Vic., Chap. 3, whereby certain Eurasians and Europeans are included in the definition of Natives?—Yes.

Mr. *Ramaswami Mudaliyar.*

1168. The Native Magistrates and Deputy Collectors have judicial as well as executive functions?—Yes.

1169. And they do not get any legal training before they are appointed?—No.

1170. Are there any graduates among them?—I cannot answer that.

1171. Are there any among the Deputy Magistrates?—I cannot tell you that.

Mr. *Nulkar.*

1172. Supposing Deputy Magistrates' appointments were filled chiefly, so far as available, from persons who have passed the law examination of the University, would not that improve their quality as Magistrates?—I think it would.

1173. The contrast would not be so unfavorable as you have just now expressed?—Quite so.

1174. As regards the encouragement to independence which the Native judiciary derives from the District Judges at present, would not that encouragement be given to them by the High Court under the arrangements you propose; would not that be sufficient?—My own impression is that if you throw open the District Judgeships in the way I have suggested, there should still be a District Judge, whether he were a Civilian, Barrister or High Court Pleader; and he would discharge the same functions of supervision and revision as a District Judge does now in criminal cases. The larger number of civil cases that go to District Judges' files are sent back by him to the Subordinate Judge to be tried; and the number of cases tried by the District Judge is comparatively very small. The result would be that the District Judge, under the system I suggest, would remain District Judge in criminal matters to all intents and purposes, and would occupy the same controlling power as now; so support to the subordinate judiciary would not be wanting.

Mr. *Nulkar*—contd.

1175. You refer to the distinguished character of some of the Covenanted Civilians who have risen to occupy seats in the High Court here. Do you not get now and then rather doubtful bargains?—I should not like to answer these questions about any Civilian Judge of my time who has sat upon the Bench if I had any doubt about it; but with regard to the Covenanted Civilian Judges, with whom I have had the honor of being associated, not only were they men of high intellectual power but they were always and strongly imbued with those traditions of the High Court, which we are bound to preserve. I think your country did well by getting them.

1176. Under the system at present existing is it likely that you would get such good men always from their ranks?—That is the difficulty. There are some persons who have a gift for law, whether they are trained lawyers or not, and there have been distinguished Judges both in the Court over which Sir Charles Turner presided and in the Calcutta Court as well as in the Bombay Court, who have not been trained for the law, but who have notwithstanding made the law their study as being of interest to them; and you will always find among the Covenanted Service gentlemen who will always take great interest in law and become good Judges.

1177. As regards recruiting for the judiciary of these Provinces, although there may be men, Natives of other Provinces, you say they do their work very well. Bearing in mind the backwardness of these Provinces as regards the education of Natives, would not the Judicial service have suffered as regards efficiency if there had not been these partial recruitments from foreigners?—I think it has been of great advantage to the Province that they have had these gentlemen in the service.

Mr. *Stokes.*

1178. I want to ask about the circuit Judges. The proposal you made, how would it work? How many Judges would it be necessary to have?—I was speaking in a very general way; I have not worked out the figures at all, but I think it might be arranged by a reduction of the number of Judges. What we must inevitably come to in course of time is either you must strengthen your lower tribunals so as to limit the number of appeals to the High Court, or you will

Mr. *Stokes*—contd.

have to strengthen the High Court very much and give us more Judges, as appeals are increasing every day.

1179. Might you not increase the powers of the Munsiffs?—I do not think that would give us any relief.

1179*a*. And when there are important suits brought against Government, how would these be arranged for?—Occasionally application is made and they are transferred to the High Court. I think the Court itself would make the order required, if any danger was likely to occur.

The Hon'ble Mr. *Quinton.*

1180. Under the Charter what are the qualifications of a Judge of a High Court?—You may have an English Barrister of five years' standing, a Covenanted Civilian of not less than ten years' standing who has officiated as a Zillah Judge for a period of three years, or any person who has officiated as Principal Sadr Amin for a certain period.

The Hon'ble Mr. Justice *Mitter.*

1181. In comparing the judicial work of the Native Judges with that of Civilian Judges, I suppose you compare the civil judicial work of the Subordinate Judges and Munsiffs with that of High and District Court Judges?—Just so.

1182. As regards the criminal work, you compare the superior Magistrates and Sessions Judges on the one hand, and Native and Deputy Magistrates on the other?—Quite so.

1183. I suppose the majority of Munsiffs and Subordinate Judges in these Provinces are men who have received some sort of legal training?—You can find all the information about them published in a book of the services of officers under Government in these Provinces. I think you will find in looking through that book that most of them have had some experience of law before they were appointed to judicial offices.

1184. Is it the case that Deputy Magistrates receive some sort of judicial training before appointment?—I am not aware that they get any training.

1185. I suppose many criminal cases have been conducted before you by Native Pleaders?—Many.

1186. Do you think those Pleaders were wanting in ability as a general rule in conducting these cases?—No, I do not think they were at all wanting in ability. What I feel is that it is a great misfortune that in the High Court we have not an Original Side where we could teach them what should be done. For fourteen years of my life I was engaged in as large a practice in criminal matters as any one in England, and it can only be learned by long practice.

1187. These Munsiffs and Subordinate Judges have no power to try criminal cases?—No.

1188. Is it the practice of the High Court, when application for transfer is made to mention the Judge to whose file the petitioner seeks to have the case transferred?—No. It is said in a general way. They do not say to the Court of Mr. Jones, but to the Court of the Deputy or Assistant Magistrate, or whatever it may be. I have known cases in which it has been asked to transfer a case from a Native Magistrate, in terms, to a European Magistrate.

Sir *Charles Turner.*

1189. But the Court is generally indicated?—The office is indicated. They will say, to the Court of another Deputy Magistrate.

Mr. *Crosthwaite.*

1190. You expressed yourself as satisfied with the qualifications of a Civilian Judge of the High Court?—Yes.

1191. From what classes of the service were they taken?—I am speaking under correction here. I am not acquainted with the position of Mr. Spankie in the service when he became Judge, but, as far as I remember, he was a District Officer and had done good service in the Saharanpur District; he was appointed a judicial officer and was an officiating member of the old Sadr Court.

1192. In some cases the gentlemen appointed to the High Court have been District Judges?—Yes, I think Mr. Pearson's service was almost entirely that of a District Judge. Mr. Oldfield I know was during some portion of his service a judicial officer.

1193. Are the present District Judges getting the same training as former District Judges who went up to the High Court?—Mr. Spankie and Mr. Pearson were both remarkable men. Mr. Spankie had a great liking for law.

Sir *Charles Turner.*

1194. Do you consider appointments might be made to Barrister Judgeships of the High Court from the Indian Bar?—I consider that ought to be done.

1195. You consider that that would have a good influence on the Bar and on the Court?—A very good effect indeed.

1196. In what respect do you think Native Magistrates are deficient in the investigation of Criminal cases?—I will name two. The first is they wander about too much in reference to facts that really do not bear on the merits of the case at all; they take into account a number of considerations that may arise from what they hear out of Court; in the next place they pass very severe sentences, so far as I have noticed, sentences disproportionate to the offence.

1197. Do you observe in these Provinces any inclination to pass very heavy sentences of fine having regard to the means of the offenders?—When I first came out I was surprised to find the heavy fines that were imposed in addition to imprisonment.

1198. Are the fines imposed in these Provinces on persons of the wage-earning classes adjusted with due regard to the ordinary earnings of those classes?—I should think they are heavy.

1199. Do you regard it as an indication of a proper sympathy with the people when imposing fines for minor offences due regard is had to the means of the offenders?—I had better not answer that. I think in some cases sentences are disproportionate. I think Magistrates do not adhere to the rules of evidence, and in the next place the punishments are too severe; but I am perhaps a martinet in matters of criminal procedure having been trained to it in England, and I should require rules to be rigidly followed.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

1200. What are the general grounds on which applications for transfer of cases are made

The Hon'ble *Douglas Straight.*

The Hon'ble Kázi *Shahabuddin*, Khan Bahadur—contd.

not only in criminal but in civil cases also?—As far as I remember on the grounds that the Magistrate had been posted with information with regard to the man's character out of Court; or that he had a personal bias against the accused in criminal cases. In civil cases the allegation is generally corruption, or that the opposite party has got at the Judge or Munsiff.

1201. You say you grant the applications in very rare cases?—Only in very rare cases and on affidavit, and when the opposite party has had an opportunity of answering the affidavit.

Mr. *Stokes.*

1202. Have you not seen Native Deputy Magistrates who have done their work remarkably well?—Yes.

1203. You have a Public Prosecutor in the High Court now. Before the District Courts also they have a Government Pleader. Do these officers not do their work well?—Our Public Prosecutor in the High Court is a very competent man; he is a Barrister, Mr. Charles Hill; and our last Government Pleader was Mr. Dwarkanath Bannerji, who is most competent; our present Government Pleader is also a most competent person. I wish to add that I think it would be most desirable if young Europeans coming out to this country did not come out before they were twenty-three. I do not think these young Civilians, when they first come out, are by experience or physically incompetent to discharge the duties that devolve upon them and I would raise the age.

Mr. *Stokes*—contd.

1204. We are not enquiring into the recruitment of Europeans; but we may take it generally that your opinion is that Civilians appointed in England should come to India later than at present, having regard to the duties with which they are charged?—My answer is purely confined to knowledge about the discharge of magisterial duties. It is placing too much responsibility on very young Civilians to entrust them with the trial of criminal cases.

Sir *Charles Turner.*

1205. I believe they may get full powers in these Provinces in less than two years?—Yes, and the power to whip!

WITNESS XVII.—*31st December 1886.*

Examination of Munshi NEWAL KISHORE, a Zemindar of Lucknow.

Munshi *Newal Kishore.*

The Hon'ble Mr. *Quinton.*

1206. You are a resident of Lucknow?—Yes.

1207. And owner of a large printing and publishing press?—Yes.

1208. A zemindar also?—Yes.

1209. You have taken a great interest in all educational questions?—I do take an interest in education.

1210. What sort of books are they that you publish, and where do the books circulate?—History, poetry and religious books. They circulate in Yarkand, Bokhara, Cashmere, Arabia and Afghanistan.

1211. You are also editor or proprietor of a Native newspaper?—Yes, the *Oudh Akhbár*; I am the proprietor.

Mr. *Crosthwaite.*

1212. As to the question of the Statutory Civil Service, is there any dissatisfaction felt with the existing system of recruiting for the Statutory Civil Service?—There are some who do speak against it; but generally there is no dissatisfaction.

The Hon'ble Mr. *Quinton.*

1213. Who are the people that speak against it?—Those that are well educated.

Mr. *Crosthwaite.*

1214. What are the grounds of dissatisfaction?—Men who passed the M. A. Examination were not selected; men who have not passed, of wealth and influence, of course if they get appointments are satisfied.

1215. Would you propose to make any amendment in the Rules under the Statute?—Yes.

The *President.*

1216. What change would you make in the Rules?—I would propose an amendment that there should be an educational test for persons appointed to Statutory posts, and there should also be appointed persons whose ability had been tried and proved in the Uncovenanted Service. Government might have some power to appoint some persons in consideration of good family or for political reasons, but the majority of persons should be of good education or fit for the service.

1217. Do you wish to make any change in the definition of "Native of India" in the Statute?—I would extend the definition a little.

1218. How would you extend it?—I would extend the definition so as to include such families and members of such families as have resided in India for three generations.

Mr. *Nulkar.*

1219. That is not extending it; you would limit it. Would you require selected candidates to go to England for training?—It should not be compulsory, but optional.

The *President.*

1220. Have you good men in the Statutory Service now?—The public think that the nominations have not been successful.

Mr. *Crosthwaite.*

1221. Do you know of any of the men yourself?—Yes, I know a good many of them.

1222. Has the system of recruiting for the Covenanted Civil Service been approved of?—It is difficult to ascertain whether the public are dissatisfied with it or not; only the educated classes seem to be dissatisfied with it.

1223. On what grounds are they dissatisfied?—In the first place with regard to age. The difficulties in the competitive examination are such as leave very little chance for Natives to succeed in them.

1224. How would you propose to remove that difficulty?—I would propose some changes. The English Government should decide to hold the examination in India for Natives and Europeans for at least fifty years.

1225. Would you only have one examination in India?—I would not abolish the examination in England, but I would leave it open to any one who might go in, European or Native.

1226. Would you alter the limit of age?—I would raise the limit of age to twenty-two years.

1227. Would you add to the subjects of examination or alter the marks?—I understand that no subject is compulsory at the open competitive examination, and therefore I would have a similar examination in India and in England.

1228. At one or more than one place?—Not in one place but in different centres.

1229. How many different centres?—In each Province separately.

1230. At the same time?—Yes, at the same time. I would add a provincial to the general competitive examination in each Province. I would have a competitive examination for the whole of India held in each Province.

1231 Would you take the successful candidates from one list or apportion them between the different Provinces?—I would have recruitment provincially.

Mr. *Peacock.*

1232. To the examination you would retain in England would Natives be admitted?—Yes, everybody.

1233. Are Englishmen to be admitted to the Indian examinations?—Yes.

1234. Have you any scheme?—I have no scheme.

1235. How do you reconcile your proposal to have an examination in England and an examination here?—I would have a separate list of candidates for each Province.

Mr. *Stokes.*

1236. Do you think any classes in these Provinces would object to go to England?—All Natives of India object to go to England except those who live in the Presidency towns, who are the followers of Brahma Samáj, and so forth.

The *President.*

1237. You want an examination provincially. Do you think by that examination members of good family or men of good education would obtain a share of the appointments?—Yes they would.

Mr. *Stokes.*

1238. Is the objection to going to England merely an objection to the journey? Or is there any religious reason?—It is mostly on religious grounds.

1239. Is that an insuperable one among any classes?—As the world progresses it is likely to decrease, gradually it must disappear.

1240. Could a man be put out of caste here now for going to England?—Generally they are put out of caste when they come back from England, but in some cases their guardians or their parents take care to get them back into caste; as soon as they come out from England they have feasts or hold public ceremonies. Apart from the consideration that a man is regarded as out of caste by others if he goes to England, he himself does not like the people of his own caste.

The *President.*

1241. He does not like to fall back into caste customs?—He neither likes Indian people nor their mode of living, neither would he like to take off his shoes while eating food; he would like to have English boots on and to dine at table; and he does not like Indian wives; therefore I want to put a stop to going to England.

1242. He would come back too much imbued with English manners and habits?—Yes, too much Anglicised.

Mr. *Crosthwaite.*

1243. As to the Uncovenanted Service, which means Deputy Collectors, Subordinate Judges, Munsiffs and Tahsildars, how would you recruit that service—from Natives under the Statute or from all natural-born subjects of Her Majesty?—All natural-born subjects of Her Majesty are entitled to an equal share of appointments in the Uncovenanted Service in proportion to their numbers as compared with the whole population.

1244. Would you recruit by competition, by nomination or by a system composed of both?—The present system under which officers are appointed in the North-West Provinces and Oudh has worked satisfactorily.

1245. Would you recruit from the residents of the Province only or from all India?—I would confine those services only to residents in each Province; I would even separate the North-West Provinces from Oudh; the Natives of Oudh to be employed in Oudh; of the North-West Provinces in the North-West Provinces.

1246. Would you admit men from posts in the Uncovenanted Service to posts in the Covenanted Service?—Yes, I would like to promote them. This system of promotion from the Uncovenanted Service to posts in the Covenanted Service would be very much liked by the people, because thereby they would have a stimulus to

Mr. *Crosthwaite*—contd.

discharge their work properly and to the satisfaction of their superior officers on the chance that at some time the local Government might promote them to posts in the Covenanted Service.

Mr. *Nulkar.*

1247. Do you know many people in these Provinces or in Oudh who have been to England?—Yes.

1248. Have they managed, in the manner you have described, to recover the good will of their people?—I know that Hindus have not been taken back into caste.

1249. You said it was possible for them to get into their caste by certain ways of pleasing the people, giving feasts and festivals; has that been tried by anybody with success?—The Hindus have not succeeded. Four or five have gone to England and have not been taken back into caste. I am not aware whether they were in the Government service, but they were in practice at the Bar.

Mr. *Stokes.*

1250. Did they want to get back?—They did not wish to be taken back into caste; but their parents and friends desired that they should be.

Mr. *Nulkar.*

1251. Have they given up their wives whom they married before they went to England?—I am not acquainted with any particulars.

The *President.*

1252. Do men of good family enter the Uncovenanted Service in great numbers in this Province?—They do; they readily accept employment in the Uncovenanted Service.

The Hon'ble Mr. *Quinton.*

1253. Have you in your employment any graduates of the Calcutta University?—Yes, in my press.

1254. What rates of pay do they accept?—One gets about Rs. 200, another about Rs. 50.

1255. Do you know any other B.A. besides these two?—No.

1256. Are these rates lower or higher than they are willing to accept as a rule?—They have accepted these rates in the hope that they will receive an increase every year.

The *President.*

1257. What did the man on Rs. 50 begin on?—On Rs. 40.

1258. How many years ago?—He has not been one year; but for permanent posts a good many B.A.'s would accept employment on less than Rs. 100.

Mr. *Crosthwaite.*

1259. Have you studied the Pay and Pension Rules?—No; only with regard to leave I would make a difference between the Leave Rules for the Europeans and Natives, because the Europeans have to come out to a country distant from their homes; but as regards the rules for pay I would let them remain as they are. As regards pension the Europeans should receive higher pensions than the Natives of this country, because they leave their homes and come out to this country and deserve consideration. The difference should be reasonable however.

Mr. *Stokes.*

1260. Why would you not give Europeans and Natives the same pay?—I would preserve the difference.

WITNESS XVIII.—*31st December 1886.*

Examination of Babu GANGA SARAN, B.A., of the Uncovenanted Civil Service; Munsiff of Saharanpur.

Babu *Ganga Saran.*

1261. I am a Graduate of the Calcutta University, and have for twelve years held the office of Munsiff in these Provinces.

The Hon'ble Mr. Justice *Mitter.*

1262. Do you think that the present system of appointing candidates as Statutory Civilians is approved by the people in this Province?—Those persons who think about the subject do not approve of the system.

1263. Those that have expressed any opinion on the subject do not approve of it?—They do not quite approve of it.

1264. What are the objections taken to it?—That there has been no good system of nomination; it has been somewhat haphazard. Until two years ago those persons who were appointed had little or no education. More attention is now paid to education, but still the men nominated are not superior to men in the Uncovenanted Service already. The mode of selection is still objected to.

1265. Do you suggest any remedy for removing this objection?—I think there ought to be a competitive examination.

1266. Do you advocate an open competition?—Not quite open, but nomination first and competition afterwards; nomination on a much larger scale.

Mr. *Stokes.*

1267. Why nomination?—Because there are classes of persons of whom any number might compete successfully, while at the same time their appointment would be objectionable.

1268. You wish to exclude certain classes?—Yes, certain classes.

The Hon'ble Mr. Justice *Mitter.*

1269. Then you wish to make this alteration in the rules, that appointments should be made by limited competition?—By limited competition.

1270. Have you any objection to the Statute as it at present stands?—I would amend it so as to include persons residing in Native States in subordinate alliance with British India.

Mr. *Peacock.*

1271. Then you would alter the Statute a little?—Yes, to that extent.

The Hon'ble Mr. Justice *Mitter.*

1272. Would you require the candidates selected in this limited competition to proceed to England for training?—I would encourage them to do so, but I would not insist upon it.

Mr. *White.*

1273. In the Statute it is stated that persons of proved merit and ability may be admitted to posts usually filled by Covenanted Servants. Do you not think that dissatisfaction has been caused to men of proved merit and ability already in the Uncovenanted Service by the abstention to exercise the power in their favor?—Yes, a good deal, I think, has been so caused.

Mr. *Ramaswami Mudaliyar.*

1274. Would you not make provision for admitting into the Covenanted Service men who had distinguished themselves in the Uncovenanted Service?—Yes, I think that is very necessary.

1275. That would be by nomination?—That should be by nomination only.

Mr. *Nulkar.*

1276. Do you not think that the present system of nominating members of high families as a rule leads to the selection of men who are backward in education, and is likely to have the effect of keeping the members of such families backward rather than of stimulating them to keep pace in education with the other classes who have to look for entrance to the public service by competition?—I think it would have that effect.

1277. Instead of doing good this system is doing harm?—Yes.

1278. I mean permanent harm. You think that no good service is done to the class by nominating some of its members?—No, it tends to perpetuate caste distinction which is very undesirable.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

1279. Considering the backward condition of the Province, and the kind of people living in it, would you admit into the Uncovenanted Service only educated men?—I think there ought to be a limited nomination. If there is a nomination, persons may be excluded who are non-resident in these Provinces.

1280. So you would have nomination?—Nomination on a large scale. When an appointment is vacant I would insist on Government nominating at least five persons and allowing them to compete.

Mr. *Stewart.*

1281. How many of the gentlemen appointed to the Statutory Civil Service have you known?—About five in these Provinces.

1282. And in how many cases do you say they are not equal to the Uncovenanted Service?—They are better men than the old classes, but not superior to the present class of Uncovenanted young men.

Mr. *Peacock.*

1283. What kind of encouragement would you give Natives to go to England to train themselves for the Statutory Service?—The persons selected after examination might be

Mr. *Peacock*—contd.

given scholarships, or pay at the same rate as they would receive in India if retained here, together with their passage-money.

1284. And you would make those selected go to England before they were actually admitted into the service and before they had done any work?—Yes, before they have done any work, or, if they choose, one year after admission, but not more.

Mr. *Stokes.*

1285. You are a Native of the Meerut District?—Yes.

Mr. *Nulkar.*

1286. Where were you educated?—At the Agra College.

The Hon'ble Mr. Justice *Mitter.*

1287. Are Hindus who go to England from these Provinces taken back into caste on their return?—I think they will be taken back. I know one instance of a Barrister in Agra who is not an outcaste. What they should do is this. They should not persist in living in the same way on their return as they have lived in England. For six years to come men do not want them to dine in hotels or openly with Europeans. They might do it, but we do not want them to take beef for instance. If a man of my caste did not take beef openly I would not object to his living with us. They might do anything in England.

Mr. *Crosthwaite.*

1288. Why do you say for six years to come?—Because I believe there is a feeling growing which in ten years' time may be much more in their favor.

The *President.*

1289. You say you are in favor of limited competition for admission to the Statutory Service, that is, if there was one vacancy you would nominate five men?—Yes, education has advanced so far in this Province that I would reject every candidate not a graduate; I would not admit persons who are not graduates, unless they were persons of very high family. Perhaps exception might be made in the case of persons who belong to very respectable families and who are otherwise qualified.

1290. You would first of all have an educational qualification—the degree of B.A. or some higher degree?—That is so.

1291. Then of high family?—I would not take persons of inferior families, but I would not insist on their being talukdars. I would select members of respectable families, but if they were not graduates I would insist on their being members of higher families, families of old title, &c.

1292. Do you know the recruitment rate in the North-Western Provinces annually?—One appointment annually, I think.

1293. How many persons obtain the degree of B.A. in the course of the year in the North-Western Provinces and Oudh?—About fifty.

1294. If there is one appointment you would nominate five graduates; how are these five to be selected from among the fifty?—That is a good number to select from.

The *President*—contd.

1295. But on what principle would you select; why should you take A. rather than B., and B. rather than C.?—Another qualification would be physical. After that I would look to the position in the list of graduates. Among those physically fit preference should be given to those who had taken the higher degree or obtained the highest class.

1296. In fact you want an educational qualification as the first qualification?—In the first instance.

1297. Then you want to send successful men to England. What is your object in sending them to England?—To mix freely with Englishmen and to acquire more enlarged habits of thought, and to see for themselves how Western nations are progressing.

1298. Without that training you think they would not make such good servants of Government?—I think not, but I would not send them in infancy. If they were not grown-up men they would come to harm.

The Hon'ble Mr. Justice *Mitter.*

1299. Do you think there is any feeling of dissatisfaction in these Provinces regarding the existing system of recruitment for the Covenanted Civil Service?—Yes there is.

1300. Is there any method you can suggest by which that discontent can be removed?—Although people generally like to have another examination in India I do not think it would be for the interest of the public to have another examination here. I would rather equalize the conditions. I would raise the limit of age to at least twenty-three years, because Indians who go to England have to acquire a foreign language and spend much time in the preparation for study. They also spend time on the voyage; I would give them an additional one year. If Englishmen competed at the age of twenty-two I would give the Natives another year, or nine months, or something like that. Then I would have the same number of marks for Oriental classics as for Greek and Latin.

1301. Can you propose any other alterations?—I would add another subject. Of course candidates should be physically fit, but at the same time, I should require the examiners to allot a certain number of marks for physical qualities, in order to see that they were physically fit.

1302. For proficiency in riding and shooting; is that what you mean?—Persons well qualified in riding and shooting should get one hundred marks extra to be added to the marks obtained in intellectual subjects. It is said Indians are not equal to Europeans in physical exercises; and in order to test them properly I should do that. It would be an advantage to the English candidates.

Mr. *Ramaswami Mudaliyar.*

1303. What is your objection to having an examination in India simultaneously with the examination in England for the Covenanted Service?—The objection is this. Natives are not as enterprising as Englishmen. Those persons who undertake the risk of going to England show their spirit; that is one reason. That would be a test. They would have to reside in England, in order to prepare for the examination, and

Mr. *Ramaswami Mudaliyar*—contd.

their residence there would be a guarantee that they would acquire some of the habits of thought of Europeans. They would become free from those caste prejudices which would stand in the way of their discharging their duties effectually. These duties are not merely judicial, but they include care for the welfare of persons belonging to many nationalities and castes. It is unlikely a man who observed caste rules in their strictness would pay the same attention to *Chamars* and low-caste people as to people of higher castes.

1304. But does not the difficulty of going to England deter other people qualified both intellectually and morally from competing?—Yes.

1305. It would stand in their way in that way?—Yes, it would stand in their way if they could not throw off their prejudice.

1306. I am not speaking of prejudice but about the risk of the expenditure of a large sum of money if there is a possibility of failure at the competitive examination. Would not that operate to deter men from going to England?—Yes, it would; but the difficulty they would have to surmount would be a guarantee that they were persons of high spirit and better status. It would guarantee that they are not quite ordinary Natives.

1307. But would they not show those qualities equally if they were prepared to go to England after they had succeeded in the examination?—I would make provision for such men in the Uncovenanted Service. They might begin in that service, and after a few years of trial might be selected for better posts.

The *President.*

1308. In the Covenanted Service?—Yes, and as Statutory Civilians.

Mr. *Nulkar.*

1309. About selection from good families you have mentioned titled persons. What do you mean by titled persons?—That is, enjoying titles acquired under the Mahomedan administration or before; or titles given them by Government in recognition of eminent services.

1310. Do you think that in these Provinces titles given by the present Government or by any foreign rulers always commands respect for those persons who have secured them?—Not always, but generally they do command respect.

1311. You say that persons should not be sent to England too early; they should be sent after a certain age, and yet in another part of your evidence you say that an examination here, and then a visit to England, is not sufficient. If an examination is held here and then a man goes to England, he would be about twenty years of age, which is the mature age that a person going to England should have?—I think men might be sent when they are young, but now they are obliged to go at eighteen years, I think.

1312. How long should they study there in order to acquire a knowledge of English life and character?—The student should be at least twenty-two years when he returns to India.

1313. That is four years?—Four years.

1314. Do you think four years are necessary?—For Covenanted Servants who would hold high administrative appointments, at least four years.

Mr. *Nulkar*—contd.

1315. What is the object of such English training in your estimation? What do Indian youths obtain by visiting England?—Their minds are enlarged; their sympathy is extended. They know more of English habits and modes of thought; they can mix with Europeans more freely. Thus they acquire general efficiency, general sympathy, general knowledge of the life of civilized nations.

1316. You say that the strength of character in a man, who is not brought up in that atmosphere, is lacking?—I think so.

1317. I suppose you mean to say that if the educated Natives of India wish to occupy the same positions in the public service as Englishmen do, they must have their character strengthened by a residence in England among Englishmen in their own home?—Yes, or they must prove that they possess such strength of character.

1318. So that it is a *sine quâ non* for a Native of India who claims similar rights and privileges in the public service with Englishmen, that he should be brought up in an English atmosphere? A man so brought up you would consider qualified in all respects to occupy the same position as an Englishman, all other qualifications being equal?—Yes.

1319. You would hold that physical fitness should carry a certain number of marks?—Yes.

1320. When you say a certain number of marks should be given for physical fitness, the question arises whether a man who is wanting in such physical fitness, but who is at the head of the list, not by one hundred marks but by two hundred, can succeed?—I would insist on his being physically fit.

1321. Then you would make physical fitness a *sine quâ non*. If the physical fitness is simply made a matter of marks that can be got over?—No, physical fitness is essential. [The *President*: I understand the witness to mean that whatever the requirements are as to physical fitness, in addition to that he should get one hundred marks for athletic excellence, but I do not understand him to mean he would dispense with the qualification of physical fitness.]

1322. Is it a *sine quâ non*, a necessary qualification?—The physical fitness of candidates should be established by medical certificate; besides they should have a certain number of marks for excellence in physical qualities.

1323. So you would have their physical fitness proved in addition to the one hundred marks you would give them?—Yes.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

1324. Did you not mean by saying that there should be some marks for physical fitness, that there might be some inducement for Native candidates who go to England to improve their physical fitness?—Yes.

1325. When you speak of a residence of four years in England and fix the age at twenty-two, do you mean to say the age of twenty-two should be the final admission age or the entrance age? A successful candidate must remain in England two years, returning here after twenty-one. Now you speak of four years' residence. By up to twenty-two, I conclude you mean that twenty-two is the age at which he must return to India?—I do not mean that.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur—contd.

1326. If your view be adopted the successful candidate would remain there six years altogether?—He might remain and probably would remain four years.

The Hon'ble Mr. Justice *Mitter.*

1327. It is your opinion that it is not advisable to hold an examination in India, and you give as your reasons that a residence in England is attended with certain advantages which you have described; but would not the same object be attained if you made it compulsory on the part of successful candidates at an Indian examination to study in England for a longer period than a successful candidate in the open competition in England is required to remain there for training? If the candidate was required to reside in England five years, would not the same object be gained?—No, I would require him to go first in order to test his ability and his spirit.

1328. How would you test that? A man might not be willing to go for an uncertainty, but after he is successful he might quite be willing to go?—Those that have passed would be quite willing to go, but they should be possessed of a certain amount of spirit. They should run the risk. It would show more determination of mind to go to England for an uncertainty than for a certainty.

1329. But does it not depend on the comparative means of the person? A poor person might not be willing to go to England for an uncertainty, but if rich, he might go.; therefore the test you propose might not be a good test of the spirit of enterprise which you say it is desirable to secure?—It would not be very advisable to induce poor people to proceed to England to compete for the Covenanted Service. I would not insist on a candidate's possessing riches, but at the same time I would require something which would ensure his being of good position. A man who returns empty-handed as a Joint or Assistant Magistrate is not likely to be a very good officer—at least not one out of ten.

Sir *Charles Turner.*

1330. You desire to see the Civil Service recruited mainly from the upper and middle classes?—Yes, just as they are in England.

The Hon'ble Mr. Justice *Mitter.*

1331. Would you recruit the Uncovenanted Service only from the Natives of India as defined in the Statute?—There are various branches of the Uncovenanted Service.

The *President.*

1332. We are now dealing only with Deputy Magistrates, Tahsildars, Subordinate Judges and Munsiffs. Would you recruit from all Her Majesty's natural-born subjects, including Europeans domiciled and non-domiciled?—No, I would not. I would restrict the recruitment to Natives of India. I do not care so much about the Statute, but I would restrict the service to *bonâ fide* residents in India. If Englishmen took up their domicile in India permanently I would admit them; that could be ascertained and then they might appear.

1333. Would you recruit provincially or generally?—In the main, provincially.

The *President*—contd.

1334. In what respects not provincially?—To a certain extent I would recruit provincially. If a Bengali gentleman were settled in the Province, although not born here, I would have no objection to appoint him, provided he was well up in the Vernacular. Those Bengalis who have settled in these Provinces I consider to be Natives.

Sir *Charles Turner.*

1335. You would not like to encourage students to travel from one centre of competition to another centre in order to get in somewhere?—No. As regards Munsiffs and Judicial Subordinates up to Subordinate Judges I think Munsiffs should be recruited as they are now with certain modifications. The rules might be modified only to a small extent; and Subordinate Judges might be taken from the Munsiffs and in very exceptional cases from Pleaders. District Judges should be recruited from Covenanted Civilians and from the Uncovenanted Service by promotion. Vakils, Pleaders, Barristers and Sub-Judges might also be appointed District Judges. In some cases perhaps Deputy Collectors who have passed the examination for High Court Pleaderships, and who have worked satisfactorily. Tahsildars should be recruited, a moiety by promotion from the lower grades, a moiety by selection, not from the general public but from persons with an educational qualification, such as having passed the entrance examination for the Universities or some equal examination; Deputy Collectors should be appointed half by promotion from Tahsildars and other employès of Government, Head Translators and so on, the other half by competitive examination.

The Hon'ble Mr. Justice *Mitter.*

1336. Supposing the existing Statutory Service was abolished, should the proportion of offices now allotted to that service be given to the Uncovenanted Service, or would you restore those offices to the Covenanted Civil Service?—Of the Judicial posts I would give at least one-half to the Uncovenanted Service. In other cases it would depend entirely upon the character of the work.

Mr. *Nulkar.*

1337. Would you include those who came out and said they would stay in India among domiciled Europeans?—No, certainly not. Only those settled in India.

1338. Do you know that in other respects a European who is a British subject can claim certain rights which a Native cannot up to three generations?—Yes, I know the definition of European British subject in the Criminal Procedure Code.

1339. And for purposes of employment a man who enjoys privileges under the Criminal Procedure Code can claim at present, as the definition now stands, appointment as a Native of India if his parents have resided here fifteen, twenty or even ten years?—Yes.

1340. So there is a distinction. The same man can claim privileges in the matter of jurisdiction as a British-born subject, which a Native does not possess, and at the same time claim an appointment in India which other British-born subjects cannot?—Yes.

Mr. *Nulkar*—contd.

1341. What do you think of the distinction existing between persons according as they have one or another place of birth?—My idea is that a person who has certain privileges by reason of his birth in a foreign country might be excluded from the service; as to other questions arising I might give a different opinion.

1342. Do you mean that a domiciled European or a British-born subject should choose his rights and privileges as between Natives of India and Europeans once and for all, and for all purposes? —No, I should like all persons resident in India to have the fullest opportunity of qualifying by merit for any particular post and getting it without any particular restriction as to birth, &c., and if a person claimed other privileges that should not interfere with this. When that privilege comes under consideration I should vote against it.

1343. My question is this. Would you keep up the distinctions I have pointed out for the service? Would you allow him to be included in the list of domiciled Europeans, that is, domiciled in India?—If included in the definition, I would.

1344. Would you not consider it a disqualification for a domiciled European who still wishes to retain the privileges of a British-born subject and who claims that right to be treated as a Native?—No, I do not treat that as a disqualification. There are persons who have been exempted by the local Government from attendance in Courts, but because thay have a privilege of this kind I would not exclude them from the service, not so much in justice to themselves as for the good of the country.

Sir *Charles Turner.*

1345. Do you value very highly the special privileges now pertaining to a British subject? —I should very much object to those privileges, and if the question of retaining them came up I should vote against it.

The *President.*

1346. The distinction in regard to a Native of India in connexion with the public service was introduced by the Act of 1870?—But as a matter of fact under the Indian Code nearly all the Natives were incompetent to try Europeans.

1347. The state of the law respecting recruitment for the public service is now this, that the Statute of William IV. enacted that no person by reason of his place of birth or descent should be incompetent to hold any office. Then came the Act which constituted the Covenanted Civil Service, as it at present stands, which reserved certain places for those who entered the Civil Service by competition. Then came the Act which empowered the Government to appoint persons of approved merit and ability to posts reserved for the Covenanted Service. It was the last Act that created the race distinction. Are you aware of that?—Yes.

The Hon'ble Mr. Justice *Mitter.*

1348. Have you any evidence to give on the questions as to Pay and Furlough Rules? Have you studied the subject?—I consider the pay of Statutory Civilians is rather less than they ought to get. They now receive only two-thirds of the pay of the post if held by a Covenanted Civilian.

The Hon'ble Mr. Justice *Mitter*—contd.

If any distinction is to be made they should get eighty per cent., because thay have to begin life with less pay than a Deputy Collector. I have nothing else to add upon this subject. I have not studied it.

Sir *Charles Turner.*

1349. You have lived principally in Mufasal districts?—I have been a Munsiff in those districts, and before that I was a pleader practising not in the High Court but at Meerut.

1350. You have on occasions had opportunities of seeing the work of the Native Magistracy in the Criminal Courts. Is that in your judgment satisfactory?—Yes. I have seen it. It is not so satisfactory—the judicial work I mean—as the civil work.

1351. That work is not quite so satisfactory as that done in the Civil Courts?—Yes.

1352. What is the reason?—Pleaders have not the same status in the Courts of Magistrates as they have in Civil Courts, *i.e.*, they are not treated with the same respect by Magistrates; they are treated more arbitrarily, and they are afraid to incur the displeasure of the Magistrate.

1353. That is in the Courts of Native Magistrates?—English and Native Magistrates alike. In the Civil Courts the Courts decide the case before them, it will go on appeal; there are so many pleaders and they are to a great extent more respected. As to the Magistrate his order may be appealable, but it is a dangerous order. Supposing a Magistrate gets angered with a pleader; he, in passing sentence, might pass twice as harsh a sentence as otherwise he would do. It is at once carried into effect, and the man is sent to prison, and for this reason a pleader wishes to keep a Magistrate in temper.

1354. You say criminal justice is not so efficiently administered by Native Magistrates as civil justice is administered by Native Judges. Do you find any defects in the Courts of Native Magistrates as compared with the Courts of European Magistrates?—The European Magistrates are superior to the Native Magistrates; they are all of them highly educated men. I am talking of Covenanted Civilian Magistrates: if they only keep their temper, which they do in fifty per cent. of cases, they are much better. Native Magistrates are not so well up in their work; they have had no special training.

1355. May I ask whether the men appointed to the Native Magistracy are inferior in education to the men who are appointed as Munsiffs?—Inferior.

1356. Have you or have you not observed any excess of severity in sentences on the part of the Magistrates?—There are some Magistrates whose sentences are much more severe than those of others.

1357. Do you think the Native Courts pass more or less severe sentences than the European?—I have not noticed any difference between European and Native Magistrates in this respect.

1358. In imposing fines do you consider there is sufficient account taken of the means of the offenders?—Some Magistrates do show more consideration than others and pass fairer sentences. People do not make so much noise

Sir *Charles Turner*—contd.

about the severity of the fines, as about the cases in which respectable people are sent to prison without the option of fines, where fines are possible. The Honorary Magistrates do not impose unduly severe fines for breaches of municipal and sanitary laws.

1359. Are the Honorary Magistrates, of whose work you have had knowledge, more lenient in dealing with such offences than stipendiary Magistrates?—Yes.

1360. Do you not think that Munsiffs and Subordinate Judges would administer criminal justice equally as well as they do civil

Sir *Charles Turner*—contd.

justice if they had the opportunity afforded them?—I should not like them to have any criminal jurisdiction. If they were promoted to Session Judgeships they would do the criminal work very well, but I do not wish to see Munsiffs or Subordinate Judges invested with criminal jurisdiction.

1361. Would persons of the same class as those from whom Munsiffs and Subordinate Judges are taken by reason of their better education make better Criminal Judges than the average of the existing Native Magistrates?—Yes.

WITNESS No. XIX—*3rd January, 1887.*

Examination of T. STOKER, Esq., of the Covenanted Civil Service; Settlement Officer. *T. Stoker, Esq.*

1362. I am a member of the Civil Service of the North-West Provinces. I entered by open competition in 1870, and came to India in 1872. I was for twelve years an Assistant Magistrate, officiating as Joint Magistrate for brief periods. I was at one time in charge of the family domains of the Maharajah of Benares, and have had officiating charge of districts. I was for two years Under-Secretary to Government, and am at present employed as Settlement Officer.

The Hon'ble Mr. *Quinton.*

1363. Have you had any experience of the present Statutory Civilians?—I have.

1364. What is your opinion of the mode by which these officers are appointed? Do you think it the best that could be adopted?—My objection will go beyond the mode of appointment.

1365. Let us hear your views on the Statutory Service?—I see no advantage in forming a second close service from which Government would be bound to select its chief administrative officers, and I see some danger in creating an inferior close service from which Government would be equally bound, I take it, to select its superior administrative officers.

1366. Would you abolish the existing Statutory system altogether, or would you modify it?—I think the Statute itself is based on the wise and reasonable principle that Government should select the best men wherever it can find them, and select them from men of proved merit and ability. I think that is the principle which, in all civilised countries, governs the selection of officers for the superior service of Government. I think a fixed principle of a close service may be reasonably applied to appointments which fall short of any of the highest appointments. I would look largely to the practice of other countries for guidance, making due allowance for the requirements of British administration in a foreign country.

1367. As I understand you, you would make no alteration in the Statute, but would alter the rules?—Yes; to the extent of abolishing them altogether, and leaving the Statute to be worked on its own merits.

1368. Have you considered the Statutory definition of Natives of India?—I am acquainted with the definition.

1369. Would you alter it in any way?—It is difficult to answer that question without knowing precisely what the ulterior object of forming a service of this sort is. If the object is to simply select the best officials for the service of Government wherever they can be found, I see no reason why there should be any restriction upon the choice of persons from which the service should be recruited.

1370. Then you take the words of the Statute "proved merit and ability" to refer to persons mainly who have proved their merit and ability in the service of Government?—I think the Government would naturally be guided by various reasons in selecting its officers from men of proved merit and ability in its own service, because it is better able to judge of their merits than of the merits of men who have served in the service of others; and, in the second place, I think service under Government gives a prior claim to its own servants to obtain whatever promotion and preferment it may fall to the lot of Government to dispose of.

The Hon'ble Mr. *Quinton*—contd.

1371. I suppose you are aware that the term "Native of India," as used in the Statute, has been held to exclude Natives of India born in Feudatory States, and also Europeans who are not domiciled in India?—I am aware of that.

1372. And would you alter the Statute in any way with a view to include those classes of persons?—Yes; I take it that the object of the Statute was simply an enabling one, to enable Government to go for its officials wherever it could find the best men; and, taking that view, I would not restrict the field of selection to any extent. I think I would alter the present definition, but it seems possible that, as a matter of fact, beyond the mere machinery for enabling Government to secure the best servants at hand, there were some political motives at the bottom, *viz.*, it was deemed expedient to associate Natives of this country more largely in the superior administration, and, having that in view, the power given by the Statute was to extend only to Natives of this country. My own view is that I would go much beyond that. I would allow Government to select Natives of this or any other country. While on the subject of the definition of Natives in the Statute, I may add that it at present actually includes a class who are not of pure Asiatic origin, but nevertheless born in India. I refer to Eurasians; and as a matter of fact it has never been extended to these persons, and if the intention was to admit persons of that class, I think it would be just as well if the Statute were a little more explicit on that point.

1373. The Statute does not exclude them?—The Statute includes them, but the practice excludes them.

1374. Would you alter the definition so as to include everybody?—I would omit any definition. I would extend the Statute to others than Natives.

1375. You say you have had experience of Statutory Civilians in this Province?—I have served in the same district with one of them, and am personally acquainted with several others.

1376. What opinion have you formed of their qualifications? Do you think the rules have secured as good nominees as are to be found in the higher ranks of the Uncovenanted Service?—I think not. I think it has secured a fair average class of men, such as are already secured by less emoluments in the Uncovenanted Service. Beyond that I am not prepared to go.

The Hon'ble Mr. *Quinton*—contd.

1377. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to go?—If the selection is made from men who have proved their merit and ability by service under Government, it appears to me simply preposterous to propose the condition of going to England to such men. To impose such a condition would mean keeping them out altogether. If, on the other hand, you mean to select untried men as at present selected, I suppose the principle which underlies the idea of sending a Native of India to England is to make him less like a Native of India and more like a Native of England; and I suppose the Commission has considered whether it is a perfectly wise and consistent policy to incur some expense in fabricating an imitation when the real article is to be had in abundance. If a man is a more efficient officer in proportion as he approaches being a European, it is obvious that a European is the most efficient; and as long as Europeans are available it is an inconsistent and unreasonable policy to take men not Europeans and make them like Europeans, and then set aside Europeans in their favor.

Mr. *White.*

1378. Do you not think that injustice has been done to Uncovenanted servants of proved merit and ability by the substitution for them of the present Statutory Civilians?—I am not aware that the present Statutory Civilians were ever substituted for them. The service was created in defiance of the Statute. It is called a Statutory Service, but has no existence under the Statute as a service, but by the rules which are inconsistent with both the spirit and letter of the Statute; and I think no injustice was done to men who were never appointed under any condition or promise of succeeding to any appointments reserved for Covenanted Civilians. I am aware, however, that there is a feeling among the Uncovenanted branches that injustice has been done to them, inasmuch as a service was created, rightly or wrongly, and the superior appointments were not reserved for the Uncovenanted Service, but went outside to selected but untried men.

The Hon'ble Mr. *Quinton.*

1379. You have said that you would extend the definition of Natives of India in the Statute?—Pardon me; I said I would abolish it.

1380. Would you not exclude non-domiciled Europeans who come to the country with no other object than to get into the public service?—Certainly not. I would exclude nobody. I take it Government is governed by the principle which is accepted elsewhere, and takes the best men it can find, and does not ask where they come from, or who they are, but sees that it is to its interest to employ them, and employs them.

1381. Am I to understand that you would be in favor of having a proper test applied to anybody who gets into the service?—Certainly. I would accept no man who had not shown some qualification for the post.

Mr. *Ramaswami Mudaliyar.*

1382. Would you exclude members of the Bar from being employed?—If I were framing a Statute I would exclude nobody; but if I am asked whether in practice I would select members of the Bar, as the Bar is at present constituted, my reply is I should do so with considerable caution: but I understand I am being questioned concerning the Statute as it exists, and without expressing any opinion as to the wisdom or otherwise of having a Statute, which is a departure from the principles, which previously governed the administration of the country, I say that I would go the full length; and if Government is to be empowered to select its servants outside a specific service, I would allow it to select from the Bar or out of it, in India or out of it. I would leave it to the discretion of Government, as the Statute leaves it, to select the agents that are best fitted to carry out its policy.

1383. The Statute gives power to appoint certain Natives of India to posts which are now reserved exclusively for the Covenanted Civilians. My question is whether, in carrying out that Statute, you would exclude legal practitioners?—In carrying out that Statute I would not exclude anybody.

Mr. *Nulkar.*

1384. Do you propose that the Statutory Service should be thrown open to all comers?—No; I propose to have no Statutory Service at all.

1385. But presuming the existence of the Statutory Service?—Certainly.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

1386. When you say the Statutory Service should be thrown open to all, do you include Frenchmen, Germans, &c.?—If the service of Government is to be thrown open, I would select the best agents I could find, irrespectively of any other consideration.

1387. Then your answer applies not only to the Statutory but to all services under Government?—Yes.

1388. What would be the political effect of it?—That would entirely depend upon the prudence and circumspection with which the measure was put in force. When I speak of the best and most efficient men, I include loyalty and devotion to the British administration as one of the very first and ordinary principles by which I would be guided in my selection. I would not select anybody whose integrity and loyalty I could not entirely trust. My hypothesis presumes that I would not select young men and untried men. There are certain races of whom we can implicitly trust the loyalty and integrity by virtue of their birth and traditions.

1389. Then you would not select a Frenchman or a German, about whose loyalty and integrity you could not be quite sure?—It depends on the service in which he was to be employed. If I had a very important bridge to be constructed, and I found that a Frenchman was the best man I could find to construct it, I should select him to do the work. I would look to the nature of the duties, not to the character, race and education of the candidates. If the field of selection is limited to persons born in this country and it is a grievance if persons not born in this coun-

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur—contd.

try should be selected for service in it, the objection applies to myself and to every Englishman in British service in India.

1390. Who make the best administrators, Indians or Englishmen?—Englishmen.

1391. And you would not let Indians approach that standard of excellence by allowing them to reside in England and mix with Englishmen?—Yes; I think it is their business to qualify themselves.

1392. Would you not compel them to go?—I would leave it entirely optional.

Mr. *Crosthwaite.*

1393. Would you give a preference to men who had gone?—I think possibly it would influence my choice. I would not make a rule to that effect; but in making my individual selection, I think it quite possible that I would find that men with the advantage of some such an acquaintance with English people and England, would obtain qualifications of a kind not otherwise obtained, and some disadvantages which otherwise they would be free from.

Mr. *Stewart.*

1394. Had those Statutory Civilians, whom you say you had known, been appointed on account of good birth?—Yes.

1395. And what duties were they performing?—The same as myself.

1396. Did you observe that they exercised any greater influence with the people on account of their good birth?—On the contrary as a rule, they stood aloof from the people.

1397. To what do you attribute that?—If you mean why it is that people who, under other conditions, you would naturally expect to exercise a good deal of authority and power over the people, fail to do so when appointed under our service, I attribute it altogether to the system of Government. I believe that administering government under the Native system, they would exercise influence, but the British system is an alien system to some extent, and one which excludes to a great extent that personal influence which would have been, and was, exercised under Native rule. Our system excludes that personal element largely. Everything is reduced to schedule and chapter and code and section, and there is a chain of supervision from the very highest to the lowest; and partly I think that entrance into a service, which is more usually filled by Europeans, has to some extent the effect of causing young men to imagine that they have become cast in the mould of Europeans: and they have left behind them some of the associations and connections which they held before.

Mr. *Crosthwaite.*

1398. At present the power given by the Statute is limited to some extent by the definition, and the present area of choice is limited to the few men that can be found capable of holding the higher posts that come under that definition. But if your proposal were accepted, the area of selection would be extended to a vast extent?—Certainly.

Mr. *Crosthwaite*—contd.

1399. Have you thought of the effect that would have on the quality and character of the recruits which would present themselves for competition in England?—Any restriction of the number of appointments reserved for the regular service will of course immediately deteriorate the quality of the candidates for service.

1400. Would you place any numerical restriction on the unlimited power you propose to give to Government, as well in the area of selection as in the number of appointments?—My objection to the Statutory Rules is in great part that they compel the Government to select a certain number of men contrary to the spirit and letter of the Statute, which is a permissive and enabling measure. The Rules which have overlaid the Statute compel the Government to select a certain number without regard to the fact whether they exist or do not. That is why I would abolish the Rules altogether, and refuse to tie the hands of Government by compelling it to appoint men, not to specific posts but to a close service. By degrees that close service would grow up till it became impossible to refuse superior posts to men who might or might not be qualified to fill them, but who by force of seniority would consider themselves entitled to them.

The Hon'ble Mr. Justice *Mitter.*

1401. Supposing the present Statute retained, would you prefer for carrying it out—(1) the present system of nomination or (2) a system of promotion of persons of proved merit and ability in the Uncovenanted Service to certain posts reserved for them in the Covenanted branch?—Assuming both the Statute and the Rules, which latter I consider inconsistent with the Statute, to exist, and create a Statutory Service, I would prefer the second system you mention.

1402. I understood you to say your object would be to secure the most efficient men, so I suppose efficiency would be the first object, whether the man was in the Government service already or not?—Yes; but I think the Government would be better able to judge of the efficiency of men in its own service, and I think it is tolerably acquainted with the merits, conduct and efficiency of all its servants.

Mr. *Crosthwaite.*

1403. The merit and ability required by Government are merit and ability for certain duties in its service, and therefore that kind of merit is better proved by experience in its service?—Precisely.

Sir *Charles Turner.*

1404. Suppose the appointment, which it is desired to fill, is a post in the Judicial Service, and that Government is unable to find any man in its own service possessed of the requisite judicial experience, do you mean to say it should regard the claims of a member of its own service as preferable to those of a man eminent in the practice of the law?—No, Sir; but I do not suppose the contingency is ever likely to arise, for Government would naturally select for its Judicial Service from its professional Judges.

1405. It frequently happens—does it not—that gentlemen who have had merely executive experience have been made Judges?—I think not. Every executive officer is a professional

Sir *Charles Turner*—contd.

Judge. I myself was for twelve years a professional Judge, not in the specific department of civil law, but in the specific department of criminal and revenue law.

1406. I am confining my question to appointments to Civil Judgeships?—I should still be disposed to think that experience gained as a Judge would be more likely to make a man an efficient Judge than experience gained as an advocate.

1407. Then you disapprove entirely of the system by which the benches in England, Ireland and Scotland are now filled?—I disapprove of that principle being applied to India. In England the difficulty which the Judge experiences is to apply the law to the facts. In India the difficulty is to ascertain the facts.

1408. A competent knowledge of the law is requisite?—The application of the law I consider to be in this country a simpler and easier function than the accurate ascertainment of facts. In England it is not so.

1409. But surely a man at the Bar has much better opportunities for learning how to ascertain facts?—My experience of the Bar is that it is sometimes interested to conceal facts.

1410. Are you aware that an unfavorable opinion is entertained in this Province of the efficiency of the Civil Judicial Appellate Courts?—No, I will not go so far as to say that, but I have heard unfavorable opinions expressed of course from the highest to the lowest.

1411. Have you heard particularly unfavorable opinions expressed of several of the appellate benches?—Yes; I have.

1412. Which have been filled by gentlemen who are not trained lawyers?—Yes, those benches of which I have heard the most unfavorable opinions expressed were filled by men who were not trained Judges; they were professional advocates.

1413. I am asking you whether or not, as regards the District Courts of this Province, there is an opinion that several of them are as Appellate Courts less efficient than the courts of first instance?—I think there are some Judges who are less efficient than others, and I think there are at the present time, and have been, and will continue to be always, a certain number of men who fall short of the standard of efficiency.

1414. Is not the number particularly large at the present time?—Not judging from fourteen years' experience; during that time I have seen no deterioration in the Appellate Court benches. I have seen, on the contrary, some improvement, and think they are better than they were before.

The Hon'ble Mr. *Quinton.*

1415. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—I think that the class of the community whom it excludes, who look for service and cannot get it, would prefer a system under which they could look for service and get it. I think they are dissatisfied.

1416. Beyond these classes are you aware of any dissatisfaction?—No.

1417. Should any, and what, change be made in that system?—I am not prepared to suggest any.

1418. Do Natives of India labor under any

The Hon'ble Mr. *Quinton.*—contd.

and what disadvantages in competing for employment in this branch of the service?—I think they labor under the grave disadvantage of being inferior, for the purposes of Government, to Europeans as regards administrative employment.

1419. I mean under the existing mode of recruitment?—Yes; I think certainly they find it much more difficult to enter the service than Europeans do.

1420. Could you advocate any changes by which this disadvantage may be removed or mitigated?—No.

Mr. *Nulkar.*

1421. You say you would do away with the Statutory Service, and yet you say would introduce no changes in the present system of recruiting the Covenanted Service. Do you mean to say that the present practical exclusion of Natives from the Covenanted Service is just and right?—I consider that it has been attended with very good results to the administration of this country, and I would proceed with great caution in making any changes. I would continue to retain the supreme controlling-supervising power in the hands of Europeans. I deprecate any change in the system. I said I would abolish the Statutory Service as a service, the Government retaining the right to appoint to specific appointments, but not to constitute a close and graded service. I do not mean to exclude Natives from appointments, but they should not form any graded service.

The *President.*

1422. You would abolish the Statutory Service altogether as a service. But you would retain the present system of recruiting for the Covenanted Service proper substantially unchanged?—Yes.

1423. And you would give power to Government to appoint, either from the Uncovenanted Service, from professions, or from any field in which merit and ability are proved, individual men to specific posts now reserved for the Covenanted Service?—Precisely.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

1424. What do you think of the age limit as it is as present?—I think it is rather a necessary evil. I believe that Government found it necessary perhaps to reduce the limit of age, because if it were raised to twenty-one or twenty-three, as it used to be, I think it is possible that service in India would cease to attract first class men, who by that time have found out their capabilities and merits, and, in point of fact, that it is necessary to catch them younger. The Indian service is not what it was, and I think men who have reached those ages have by that time measured their capabilities and found that they have prospects of success elsewhere.

1425. Then you would not raise the age because it would be disadvantageous to the administration of the country. Do you know the object of the Commission is one which concerns the different services of Government as between Natives and Europeans?—As far as I am concerned I would not have that question raised at all: the only question in my mind is the one of efficiency.

The *President.*

1426. You say the general principle of the administration is a British one, and the higher offices of the executive ought to be in British hands?—Yes.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

1427. What grounds have you for saying that Natives would not be found inefficient if they were tried?—I think the presence of the British administration in India is a sufficient answer to that question.

The Hon'ble Mr. Justice *Mitter.*

1428. You advocate a system by which the best men should be appointed wherever found?—No; that was in answer to a specific question. I am not advocating it as a general principle to be introduced altogether as a departure from the existing system.

1429. Then it is with reference to the Statutory Service, assuming it is retained, that you advocate that principle; but for any other service, for instance the Covenanted Service, you do not advocate that principle?—I think I might explain that I consider the present method of recruitment for the Government service is that method which perhaps, on the whole, is best calculated to secure the most efficient men.

1430. Conceding that, do you consider that with the present age limit we get better men than we did when the age limit was twenty-one?—No, I do not, but I consider the circumstances have so far changed that, although we do not get better men by placing the age at nineteen than we did when it was at twenty-one, we now, on the average, perhaps, will secure better men by placing the age at nineteen than we would by placing it higher. In my opinion the service in India has lost some of its attactions, and men who have reached the age of twenty-one are better able to judge of the value of appointments in India and their prospects, and less likely to be attracted by it, and therefore, if Government raises the age to twenty-one, it will probably only attract the failures—the mediocre men.

Mr. *Ramaswami Mudaliyar.*

1431. You say you would retain the Statute to the extent that it allows you to promote men to the Covenanted Service who have proved their merit and ability in the Uncovenanted Service?—To specific appointments.

1432. I should like you to explain whether you consider the policy of that Statute was a good one?—I think that up to this time the system of recruitment by securing young men and putting them into a close service and taking from that service officers to fill the higher controlling appointments has so far been a success—I think the results have justified it. But at the same time I am willing to admit, as a matter of principle, that it is quite possible that Government might do well to enlarge the field of selection, even outside the Covenanted and close service. I do not think that by virtue of being a Covenanted Civilian I am better than any one else. I am quite prepared to say that Government might find it necessary for certain appointments to go outside any service and select for them. I would not be so unreasonable as to say that any claims I have established by examination or service are superior to the welfare of the country.

The Hon'ble Mr. *Quinton.*

1433. Are you prepared to say that such persons might be appointed as District Magistrates and Collectors, for instance, at once?—It is entirely a case of individual selection and merit. I would not lay down any rule. I can conceive it possible that there should be men, of whatever race, outside the Covenanted Service, who would do very well in the Covenanted Service.

Sir *Charles Turner.*

1434. Have you heard any objection taken to the age at which young Covenanted Civilians obtain Magisterial powers?—I do not remember having heard any specific complaints, but I can conceive that the exercise of full Magisterial powers by a very young officer might possibly give occasion for complaint.

1435. Have you heard of instances in which young Magistrates have been guilty of conduct which could only be excused on the ground of their youth. Do you, for instance, remember the case in which a Magistrate in this Province stood a man in the corner with his shoes on his head; and do you not think this conduct was perhaps due to his extreme youth?—I think it is possible.

1436. And possibly you may have heard of other instances of what I may call youthful indiscretion on the part of Magistrates?—Possibly such things occur.

1437. And having regard to such cases, do you not think it advisable that we should have men in the service somewhat more advanced in age?—I do not think I should draw a line as to the age at which sense and sobriety are acquired by men generally. I have heard of such cases as you mention, and I never heard them attributed to youth. I think they are instances which might occur with men who have reached an age which ought to bring with it sense and judgment.

Mr. *White.*

1438. Are you aware that we have no difficulty whatever in the Madras Presidency in recruiting for the Educational Department, which carries with it an initial salary of Rs. 500, from men who have obtained high honors at the Universities?—I am not acquainted with the conditions of the Madras Service, but I believe such cases occur here also.

Sir *Charles Turner.*

1439. Are you aware that a second Wrangler was in the Educational Department here?—Yes; and I have always heard that he took service in India altogether disproportioned to what his attainments entitled him to, for reasons connected with his health.

1440. Have not other gentlemen of considerable University distinction come to this country in the Educational Department at a later age than twenty-one?—I know of none myself, but I know of some men, who have come to India in the Educational and other departments, having failed to enter the Covenanted Service by open competition. I cannot remember any one of University distinction except the case you mention.

The Hon'ble Mr. *Quinton.*

1441. Should the Uncovenanted Service be recruited only from Natives of India, as described in the Statute, or from all natural-born subjects

The Hon'ble Mr. *Quinton*—contd.

of Her Majesty?—I would admit all natural-born subjects of Her Majesty as a matter of principle; but as a matter of fact, I would find the most efficient men in the Natives of India within the Statute.

1442. By the Uncovenanted Service, please to understand Subordinate Judges, Munsiffs, Deputy Collectors, Extra Assistant Commissioners, and Tahsildars; and having regard to them, should the recruitment be by competition, nomination, or by both systems combined?—I would exclude a competitive literary examination. I would exclude competition altogether and retain nomination.

1443. Would you apply that system to all classes?—Certainly.

1444. Would you recruit provincially or from residents of all India?—I think, as a matter of practice, it would be found most expedient, and secure the most efficient service, to take men from the Province to which they belong.

1445. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—I think it would be better to fill up a certain proportion wherever men of merit and ability could be found. I would fix no numerical proportion; it depends upon personal qualifications, which cannot be foretold.

Mr. *White*.

1446. You said you would enlarge the area of selection as regards the Uncovenanted Service?—By rules, not by Statute.

1447. If then the area of selection is widened, would you not, in justice to the Natives of India, increase the number of appointments proportionately?—If you mean to creat, fresh appointments in order to give more employment, certainly not. I would regulate the number of appointments by the requirements of the administration.

1448. Would you have any safeguard against abuse of patronage?—I know of no safeguard which shall make men completely wise and completely honest. I think the instances of jobbery would be very few; but I know no method by which that inherent evil of human nature can be removed, and to attempt any restrictions would be likely to cause greater evils.

Mr. *Ramaswami Mudaliyar*.

1449. Are you against competition in recruiting for the Covenanted Service in England?—No; because I can see that the principle is a good one when applied to the selection of the fittest among men who presumably possess or do possess certain generally necessary qualifications: but I hold that the principle will fail when it is applied to persons with regard to whom we cannot so presume. I should think the qualities to be presumed or looked for would be courage, integrity and administrative firmness.

The *President*.

1450. You consider that Englishmen as a race have certain administrative qualities which may be presumed to exist in individuals, but that they cannot be so presumed as regards Natives of India generally?—Certainly; and when I used the word "integrity" I understood it to mean far more than integrity in the pecuniary sense. I meant firmness, courage and moral integrity. I am only speaking of this Province (To Mr. *Nulkar*). I never proposed to exclude Native talent from the service of Government; on the contrary, my object is to secure it; but I say that scholastic education is not the best method by which the best talent can be secured.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

1451. If a competitive examination were held in India simultaneously with the examination in England, what class of people from this Province would go in for it the most largely?—Bengalis I think. Many Bengalis have settled in this Province. Of course there would be competition among other classes also, generally the middle classes.

1452. But speaking of castes and creed?—I think Kashmeri Pandits and Bengalis.

1453. Banias?—I have not noticed any particular intellectual superiority amongst Banias.

1454. Kayests?—Yes.

1455. What proportion do these classes form to the whole population of this Province?—You seem to be mixing up castes and classes. The professions and employments do not in this Province go by caste at all. There are Brahmans who hold the highest and Brahmans who hold the lowest positions, and there are men of the lowest caste holding the highest official and professional rank.

1456. What proportion do Kashmeri Pandits, Bengalis and Kayests form to the bulk of the population?—A very small one.

1457. Who form the bulk of the population?—The agriculturists; they are of all castes.

1458. Do you think that those people who would go in for competitive examinations, and who would obtain posts of trust and power, would represent the masses of the people?—Certainly not.

1459. Is the present state of education among the people anything like equal as between class and class?—It is not equally diffused at present.

Sir *Charles Turner*.

1460. What is your opinion of the Native Subordinate Judicial Service?—I think it is fairly efficient.

1461. How would you improve it?—I do not see any way of immediately effecting any particularly radical change.

1462. In what respect do you consider it deficient?—I think it fails in some respects to command the confidence of the people.

1463. In what respects?—Too great attention is paid to technicalities for one thing, and I think in some instances I am bound to say it fails also in commanding a feeling of confidence in its perfect impartiality. I have heard that complaint repeatedly made.

1464. In what particular district?—In all the districts I have ever served in.

1465. From what class of people?—Every class.

1466. Have you personally observed any instances which, in your judgment, gave ground for considering the suspicion was well-founded?—I think so.

1467. Have you brought any such case to the notice of your superior officers?—Not to my

Sir *Charles Turner*—contd.

recollection. I have never had any formal charges made, nor any grounds on which I could take action.

1468. I suppose if you considered an officer to be guilty of gross partiality you would bring it to the notice of your superior?—I should be very cautious indeed about it, unless I was prepared to prove it judicially.

1469. Have you ever had any details given you upon which you could form your own judgment?—Yes; specific instances: people have made specific complaints to me that they have not been tried fairly.

1470. Have you ascertained whether their complaints were well-founded?—I have never made any investigation.

1471. You have never been able to form any personal opinion as to the matter of these assertions?—I have formed opinions.

1472. Upon nothing beyond the statement of the person who considered himself aggrieved?—As a general rule, certainly.

1473. Are you referring to Magistrates or civil judicial officers?—I am referring to all. The word used was "judicial" I think.

Mr. *White*.

1474. Do not you think some system ought to be introduced by which Government can get rid of its bad bargains?—Government has always power to dismiss any of its servants it does not wish to retain.

The *President*.

1475. Do you think the Government possesses that power now?—Undoubtedly, and it exercises it.

1476. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service, accordingly as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted branches?—In the matter of differentiated pay I should be guided simply by the market. I would pay men as little as I could, and I have no doubt they would get as much as they could from me. If I found I could get men of the Statutory or Uncovenanted status for less pay than I have to pay for men of the Covenanted status, I would pay them less. If I found I could not, I would pay them equally.

1477. Would you make any distinction as regards Furlough Rules?—Certainly. In the interests of Government itself, not for the sake of race distinctions. I think Europeans serving in this country require, for the restoration of their health and maintenance of their vigour, longer periods of leave than Natives of the country require.

1478. And as regards promotion and retiring annuity?—I think what I have just said answers that also. I think the terms made with the Covenanted Service as regards pay, promotion and so on, were terms made to suit European officers whose conditions of life require more liberal pay, pension and furlough.

WITNESS XX.—*3rd January 1887.*

H. P. Mulock, Esq.

Examination of H. P. MULOCK, Esq., of the Covenanted Civil Service; District Judge, Saharanpur.

1479. I am a member of the Covenanted Civil Service. I entered it in 1865. I have served as Assistant Magistrate, Joint Magistrate, was a short time in charge of the Family Domains of H. H. the Maharaja of Benares, have acted as Collector and Magistrate, and am at present District Judge of Saharanpur.

The Hon'ble Mr. *Quinton.*

1480. Have you had any acquaintance with the working of the Statutory Civil Service?—No; so that I cannot possibly give an opinion as to it.

1481. Are you aware of any dissatisfaction as regards the existing system of appointing Statutory Civilians to posts reserved for the Covenanted Civil Service?—I am aware of none.

1482. Are you aware of the disadvantages (if any) under which Natives of India labor in competing for employment in the Covenanted Civil Service?—I am.

1483. What are they, and how do you propose to remove them?—The first great disadvantage is in having to go to England. I mean it handicaps them: having to go is not in itself a disadvantage, but I think they are handicapped in this, that they have to go to England to pass the examination.

1484. What remedy would you propose?—My idea would be to make money grants to approved candidates to enable them to go. I think this is the only possible method.

1485. Is there any other disadvantage which you propose to deal with as regards the subjects of examination, for instance?—Yes; I think a great deal too many marks are granted for certain subjects. I would give higher marks for the classical languages of India. Sanskrit and Arabic should be marked as high as French at least.

1486. Would you have the examination only in England as at present?—Yes; I would not have an examination in India.

Mr. *Ramaswami Mudaliyar.*

1487. Would you not raise the age limit also?—I have a great belief myself in catching men young. I think that Natives are handicapped in that matter also, but at the same time I think that a Native of nineteen is much better grown mentally and physically than a European of that age.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

1488. But is it not a great disadvantage to him that he has to pass a competitive examination in English, a language which he does not begin to learn till he has been through a course of his own language?—I think it is.

1489. And therefore do you not think the present limit of age is a positive disadvantage to him?—Perhaps it is, but increasing the marking of Indian classics ought surely to obviate that; and also I think it is greatly counterbalanced by the fact that Indian boys learn very much quicker than English boys of the same age. However, Indian boys, so far at least as my experience goes, are very much better grounded in English than our English boys.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur—contd.

1490. Why would you have only one examination?—In the first place, it is my opinion that all the candidates should have been in England at some time. I do not think that an examination in this country would be as useful as the examination at home.

1491. Would not this objection be met by compelling all candidates selected for the Civil Service here to visit England for a certain period?—I think it would come to the same thing. It would be just as easy to send a man home after he has passed his examination. Of course there is this objection to sending them home to compete that they are not bound to pass after all.

1492. You think a prolonged residence in England is necessary?—Yes.

1493. Longer than three years?—If possible.

1494. Is it possible?—I certainly think it is very possible. I have known instances of Native gentlemen going home at sixteen.

1495. How would you arrange for the employment of Natives in posts now exclusively reserved for the Covenanted Service?—I would give the local Government a power of nomination from every quarter where fitness is shown.

1496. Would not that lead to some sort of jobbery?—That is of course possible in any system of nomination.

1497. For any service which do you prefer—nomination or open competition?—I would make a great difference between the services.

Mr. *Stokes.*

1498. Have you any objection to the simultaneous examination in India, except the one you have mentioned?—No.

Mr. *Crosthwaite.*

1499. Is your opinion of the precocity of Native boys founded on personal experience? Have you examined schools?—I have examined many schools.

Sir *Charles Turner.*

1500. Do you think a Native boy at nineteen is better educated than a studious English boy of the same age?—I do. I think a Native boy of nineteen is more receptive of knowledge and better able to pass a competitive examination than an English boy.

1501. Do you think the boys who pass the Calcutta University Entrance Examination at eighteen or nineteen are superior in that respect to the studious English boys who leave Eton and Harrow at that age?—I think they are better able to assimilate knowledge. Their minds are firmer. I think, comparatively speaking, an Englishman's intellect is not properly formed till he is

Sir *Charles Turner*—contd.

twenty-five or twenty-six. There may be some who mature earlier; but, taking race for race, the Indian boy of nineteen is, I think, more capable of passing a competitive examination than an English boy of the same age.

1502. But is not that rather an argument for raising the age?—Perhaps it is.

1503. Having regard to the duties upon which the Covenanted Civilian enters when he comes to India, do you not think that he should come out at a somewhat later age than he does?—No, decidedly not. I think, for constitutional reasons, that he should come out before his constitution is formed, and also that at an early age he is more apt to assimilate native ideas.

1504. Has not actual experience shown that the young men who now come out, that is, at a younger age than men used to come out, have proved to be far more feeble in health?—I have heard so, but that might, I think, be accounted for; for instance, the strain of a very severe examination on an immature youth.

The Hon'ble Mr. *Quinton.*

1505. Bearing in mind that we are here referring to Subordinate Judges, Deputy Collectors, Munsiffs and Tahsildars only, should the Covenanted Service be recruited only from Natives of India as described in the Statute, and from all natural-born subjects of Her Majesty?—I think these appointments should be thrown open to all classes of Her Majesty's subjects.

1506. Would you have the recruitment by competition, nomination, or by both systems combined?—I would draw a distinction between the judicial and executive services. I would have Munsiffs and Subordinate Judges recruited partly from qualified members of the Bar, and to a certain number from the best qualified men in our colleges without competition. I would give the District Judges the appointment of Munsiffs from the Bar, because I do not think anybody can have a more intimate knowledge of the firmness and integrity of the men who appear before them every day, and I would allow the High Court the power of vetoing any nomination by a District Judge.

1507. Do you think that would afford a sufficiently wide area of selection?—Yes.

1508. And as regards Tahsildars?—I would have them appointed by nomination only, as they require certain qualifications which cannot be tested by examination.

1509. And as regards Deputy Collectors?—I would appoint them from Tahsildars without competition. Tahsildars in this Province, as a rule, have judicial powers. The recruitment for all grades should be entirely provincial.

1510. Assuming that the existing Statutory system is abolished, what would you do with the proportion of offices assigned to that service? Would you allot them to the Uncovenanted Service; or re-absorb them in the Covenanted Service?—I would give no direction whatever, but leave it to the discretion of Government. I would not re-absorb them into the close service.

Mr. *White.*

1511. If you admit all Her Majesty's natural-born subjects to the Uncovenanted Service, would it not be only fair to increase the number of appointments?—I certainly would not create any new appointments.

Mr. *White*—contd.

The *President.*

1512. Would you regulate the number of appointments according to the number of persons or according to the requirements of the service?—According to the requirements of the service.

Mr. *Ramaswami Mudaliyar.*

1513. Would you appoint Europeans as Tahsildars and Munsiffs?—My experience of European Tahsildars is unfavorable, but I would appoint them as Munsiffs.

1514. Do you think that the pay is sufficient to attract efficient Englishmen?—The ranks of the Bar are becoming very over-crowded. Even in my short experience, I think you get better men now than you could get four years ago, and I think you can pick and choose better.

1515. Do you know any Subordinate Judges?—Yes.

1516. Do you think any of them could perform the duties of a District Judge efficiently?—District Judge includes of course Sessions and Civil Judge. I think they would discharge the functions of Civil Judge and First Appeal Judge very fairly.

1517. Then is your opinion of their capacity to perform the duties of Sessions Judge unfavorable?—It is.

Sir *Charles Turner.*

1518. You object to the present mode of appointing Munsiffs by the High Court, because the District Judges are not consulted?—As I understand it the Government appoints them on the recommendation of the High Court. I do not object to the system, but I think it might be improved.

1519. But do not the District Judges, as a fact, make representations to the High Court as to the fitness of certain members of the Bar whom it is proposed to appoint?—I have never been once consulted, and have never forwarded a recommendation during the whole time I have been a District Judge, and I have had three or four Munsiffs sent to me.

1520. Are these new Munsiffs generally efficient?—I think they are as a rule.

1521. Do the Subordinate Judges do their work well?—Yes, I think so, that is to say their civil work.

1522. Are not Deputy Collectors at present recruited from the Tahsildars?—Largely.

1523. And many Tahsildars are unable to speak or read English?—The bulk of them cannot.

1524. Would not their inability to read the Codes in English account for some of the defects in the Native Magistracy?—I cannot say.

1525. You have not noticed any defects in their procedure?—I have noticed many.

1526. Is it not possible to attribute them to the fact that Native Magistrates cannot read the Codes in English?—I cannot say.

1527. Have not these Native Magistrates other duties besides their magisterial duties?—Yes.

Sir *Charles Turner*—contd.

1528. And do you not think some of the deficiency might be attributed to that fact?—Possibly.

1529. Do you not know that a feeling prevails among them that they get more *kudos* for good revenue work than for magisterial work?—I know of no such feeling.

1530. Do you not think it is desirable to fix an educational qualification for persons selected for the office of Deputy Collector?—They have already to pass the departmental examination.

1531. I mean an educational qualification?—They have to pass the middle school vernacular examination as it is.

1532. Is it not desirable to demand a higher educational qualification?—I do not think so, for the reason that men who are promoted to Deputy Collectorships and Magistracies are usually Tahsildars of long service whom it is impossible to examine.

1533. But is it not desirable that the holders of these appointments should know enough English to be able to read the codes, law books, and reports, &c.?—I do not think so.

1534. Would you tell us what are the defects you have observed in the Native Magistracy?—Official timidity. Incapacity of getting out of a witness all that he has to say. They give undue attention to small technicalities. I have observed failures of justice arising from the insistence on small technicalities. They have little capacity for weighing evidence, and no idea of the proportion which the sentence should bear to the offence. I mean they are incapable of weighing circumstances which should modify or enhance the guilt of an offender.

1535. You say they fail to get the truth out of a witness?—They do not turn a witness inside out.

1536. Would not professional training supply that defect?—I think it would.

1537. Do you find that Natives as Civil Judges are more independent in character than they are as Criminal Judges?—I think a Native makes a better Civil Judge.

1538. Have you remarked in Native Civil Judges the timidity which you complain of in Native Magistrates?—I have not.

1539. Do you not consider that the superiority of a Native Civil Judge is due to his better education?—To some extent perhaps. I think their superiority is due rather to experience than education. There are many qualities which contribute to make a good Magistrate which are not required in a Civil Judge. In this country, at any rate, a Magistrate should assist the prosecution in eliciting the truth. He should look upon the prosecution in a spirit of benevolent neutrality. He has also sometimes to do with lawless tribes and generally with people of a character wholly different from those who come before a civil tribunal. He must exercise tact to a very great extent, while in the case of a civil tribunal it is, as a rule, the advocates on either side who put the case before the Judge.

Sir *Charles Turner*—contd.

1540. I suppose you will admit that the Native Magistrate has to be equally impartial as regards either side?—Yes. But that is just what he will not be.

Mr. *Crosthwaite.*

1541. You say you have known Deputy Magistrates who were ignorant of English, and have observed many deficiencies in them. Have you known any Deputy Collectors who did know English?—I have known one.

1542. Did you observe the same defects in him?—No. He is the best Deputy Collector I ever met.

1543. And yet you do not consider a high educational qualification necessary?—I do not.

Mr. *Stokes.*

1544. Have you heard any complaints from members of your Bar about being passed over when the appointments to Munsiffs were made?—No.

The Hon'ble Mr. *Quinton.*

1545. How long is it since you have become a Collector?—Four years.

1546. The decisions which came before you on appeal are those of first class Magistrates?—Yes.

1547. You have not had much experience then of recently-appointed Deputy Collectors?—No.

1548. Are you aware that recently-appointed Deputy Collectors are required to have a knowledge of English?—No.

1549. Would you make any distinction in the pay of an appointment according as it happened to be held by a Covenanted officer or a Statutory or Uncovenanted one?—I would not. I think they suffer in *prestige* in the general estimation of their countrymen, and I think that to make a distinction as regards them would lower them very much in the eyes of their countrymen. If it is a matter of economy it is another thing.

1550. Your opinion is that the loss of *prestige* arising from their inferior pay should overrule any considerations of economy?—I think so.

1551. Do you think that their *prestige* would be affected if the pay, being the same, a staff allowance was made to officers of a different nationality?—I think it would still be very invidious.

1552. And as regards Furlough Rules, would you make any distinction?—I would encourage Native Civil Servants to go to England, and would give the same furlough to those who did as I would give to Englishmen. But otherwise I would not give the same amount of leave to a Native, because he is in his own country.

WITNESS XXI.—*3rd January 1887.*

Examination of Munshi MUHAMMAD ISHAK KHAN, of the Statutory Civil Service; Offg. Joint Magistrate.

Munshi *Muhammad Ishak Khan.*

1553. I am a Statutory Civilian, having been appointed in 1884. I am now Officiating Joint Magistrate of Farakhabad.

The Hon'ble Mr. *Quinton.*

1554. What is the prevailing feeling in your district as to the existing system under which Natives as Statutory Civilians are appointed to posts reserved for the Covenanted Civil Service?—I think the prevailing feeling is one of dissatisfaction. The feeling is not general, but is confined to the educated class; but, if I am not mistaken, certain influential sections of the Native community are also dissatisfied with it.

1555. Is the dissatisfaction with the Rules or with the Statute?—It is directed against the Rules framed under the Statute. I think the Statute, as it stands, is unobjectionable, except that it does not admit of persons being appointed to a regular service.

1556. What alterations would you make in the Rules?—The mode of selection should be improved.

1557. How would you have the selection made?—By nomination by the Commissioner of the Division to which the candidate belongs, followed by competition.

1558. Do young men of good family show any unwillingness to enter this Statutory Service?—No.

1559. Or to enter the Uncovenanted Service?—Not at all. In fact they are glad to enter any service.

1560. Do the Statutory Civilians regard themselves as holding an inferior position to those held by members of the Covenanted Service?—I think they do.

1561. How do you consider that merit and ability as required by the Statute should be proved?—That is rather a difficult question. No hard-and-fast rule can be laid down as to how it should be held to have been proved, but I think if sufficient standards of qualification were fixed the difficulty would be met. In the case of Uncovenanted officers their merit would be proved in the ranks of the service from which they were taken, but in the case of candidates of good birth and family, I think some preliminary test of education would afford proof.

1562. Do you approve of open competition for this service?—I do not.

1563. Would you prescribe preliminary qualifications—as to age, moral character or social position?—I think so.

1564. What maximum age limit would you prescribe for candidates seeking admission?—Under twenty-three.

1565. What test of educational ability?—The candidate must at least have passed the F. A. Examination of a University, should know English thoroughly well, and be well up in one of the Oriental classics, and also law and political economy.

The Hon'ble Mr. *Quinton*—contd.

1566. And after selection, would you appoint him on probation or permanently?—On probation.

1567. Would you give Statutory appointments to Natives who fail in the competition in England, if they have shown they possess sufficient merit and ability?—I think so. It would improve the tone of the service.

1568. After the selection of Statutory men, would you send them to England for special training?—It would be very desirable.

1569. Would you compel them to go?—I would give them an option.

Mr. *Ramaswami Mudaliyar.*

1570. Do the Covenanted Civilians accept members of the Statutory Service as members of their own body and as belonging to an equal service?—I do not think they do as a rule.

1571. Would you amend the Statute so as to make the members of the Statutory Service members of the Covenanted Service?—Yes.

1572. Don't you think that as a rule, appointments to the Statutory Service should be made of men of proved merit and ability?—Not so as to exclude others. I would have both systems practised alternately, say every other year.

1573. Do you think the present proportion of the reserved post assigned to this service is enough?—No; it is not enough. At present one appointment is given to the Province every year. I think it might be three.

1574. Do you know what the rate of recruitment is for the Province?—I do not.

Mr. *Nulkar.*

1575. What is the feeling of the Province about the Statutory Civilians?—I am not in a position to say.

The Hon'ble Mr. Justice *Mitter.*

1576. Would you have good birth as one of the qualifications?—I think so at the present time.

Mr. *White.*

1577. At the present time what does the service gain by such a system?—I think such persons exercise more influence over the people with whom they come in contact, and have more force of character and fixity of purpose.

Sir *Charles Turner.*

1578. By men of good family, do you mean anything more than gentlemen?—I mean men of good manners and of social position, a little above the middle class.

The Hon'ble Mr. *Quinton.*

1579. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted

The Hon'ble Mr. *Quinton*—contd.

Civil Service?—Dissatisfaction is felt by almost all classes, that is, of those who take any interest in the matter.

1580. On what ground?—In regard to the age limit.

1581. Do you object to competition in England?—No.

1582. Can you say what number of Natives of this Province have presented themselves for competition in England?—One or two.

1583. To what class do they belong?—To the upper class.

1584. Are objections generally entertained in this Province to going to England?—Not at all amongst Mahomedans; amongst Hindus to a certain extent. There may be among the Mahomedans a class of Mullahs who object to it, but the class is becoming extinct.

1585. In the examination in England should the standards for Natives and English candidates be distinct?—No, one and the same.

1586. Do you advocate a competition in India simultaneously with the competition in England?—I do not.

1587. If such a competition took place, would it give a decided advantage to any class, or be open to objection on administrative grounds?—Yes. I think Bengalis would get in in great numbers.

1588. Would you appoint to Covenanted posts members of the Uncovenanted Service of proved merit and ability?—I should have no objection.

1589. How would the Native community regard the following scheme; (1) a certain number of appointments in the Covenanted Civil Service to be reserved for Natives; (2) a certain proportion of that number to be filled by competition or by some other system in India; (3) the remainder to be filled up by competition in England?—It would undoubtedly commend itself to them and I myself approve of it.

1590. Assuming a system of nomination or of limited competition among nominated candidates, would Native opinion be in favor of giving a preference as between candidates possessed of certain preliminary essential qualifications and having on general grounds, fairly equal claims, in the following or any other order to—

(*a*) members of families of tried loyalty and distinguished service;

(*b*) persons of good social status and influence in the country; and

(*c*) persons of superior educational attainments, such as persons whohave taken the degree of M. A.?—

I think that Native opinion may perhaps give a preference as between candidates possessed of certain preliminary essential qualifications, and having fairly equal claims, to—

(*a*) members of families of tried loyalty and persons of good social status;

(*b*) persons of superior educational attainments;

in the order named.

I am of opinion that it would not be advisable to give any such preference to any one in the case of limited competition among nominated candidates; but in the event of the present system of selection or nomination being retained, Government might exercise their discretion in giving preference to members of families of tried loyalty or persons of good social position, provided of course the candidates were men of mental ability, and no ordinary merit.

The Hon'ble Mr. *Quinton*—contd.

Mr. *Crosthwaite.*

1591. How do you reconcile this with your previous answer in which you say you are not in favor of a competition in India for the Civil Service simultaneously with the competition in England, the same papers being used at both examinations?—It is essential that the examinations should be held in England; and that Natives should qualify themselves for competing with English candidates in a substantial manner. I hold that they must make some sacrifice to gain their object.

1592. I understood you to say you were against having any competition in India—Simultaneously with the examination in England.

1593. You are opposed to a simultaneous examination in India, and you say that if such were held a larger number of Bengalis, than of other Natives, would be successful. Is that one of your reasons for not holding an examination in India?—No.

1594. What age are you?—I am twenty-seven.

1595. Have you anything to say about the Uncovenanted Service?—I hold no definite opinion about it.

1596. Would you prefer that it should be recruited provincially or from the whole of India?—I should prefer the recruitment to be Provincial.

The *President.*

1597. Do you think the pay of a Statutory Civilian on first appoin tment sufficient?—No.

1598. What would you consider sufficient?—I consider Rs. 250 should be paid him as long as he is on probation, and Rs. 300 on first appointment to a fixed post, and after that seventy-five per cent. of the pay of the Covenanted Service.

1599. And as regards furlough?—The furlough allowed to a Statutory Civilian is only two years. It might be raised to three years.

1600. What is the average age at which Natives at the Indian Universities pass the examinations for F. A., B. A., and M. A., respectively?—The average age at which Natives at the Indian Universities pass the F. A., B. A., and M. A. examinations respectively varies from nineteen to twenty-eight years.

1601. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your Province?—The persons who usually graduate at the Indian Universities are generally drawn from the poorer classes, and occasionally from the middle classes.

1602. Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system as introduced in 1855 to secure?—I should think that the institutions at present available in India are not capable of giving the very high class education, but my experience is confined to the North-Western Provinces.

WITNESS XXII.—*3rd January, 1887.*

Examination of Babu PRAMODA DAS MITRA, Honorary Magistrate, Benares.

Babu *Pramoda Das Mitra.*

1603. I am an Honorary Magistrate stationed at Benares, and have been so for the last three or four years.

The *President.*

1604. Have you ever been in England?—No.

The Hon'ble Mr. *Quinton.*

1605. Is the existing system of appointing Natives or Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—Not by the educated class generally. The general public know nothing about it. The educated class object to it—(1) because it lays too much stress on social status and high birth as distinguished from merit and ability; (2) because it does not admit of men being appointed to a graded service.

1606. Have you studied the Statute at all?—Very little.

1607. Is any dissatisfaction felt with the definition of Natives of India?—I do not think so.

1608. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments, or by the Universities, or by those authorities concurrently or alternately, be regarded?—I think it would be regarded with favor by the community in general, because it would open up appointments to all classes.

1609. What preliminary tests would you impose?—The selected candidates should be required to have taken the B.A. degree or to have passed the F.A. Examination. As regards moral and social fitness, a certificate by three respectable Native gentlemen would be required, and, as regards physical qualifications, the certificate of an Assistant Surgeon. The candidate should also belong to a good family, that is, a family which, for at least three generations, has enjoyed dignity and social rank.

1610. Would you appoint, besides men of high family, subject to a guarantee of fitness, persons who had distinguished themselves in the Uncovenanted Service or in a profession?—Yes.

1611. Would you fix any proportion for Hindus and Mahomedans?—I think merit should be the thing chiefly observed.

1612. Are you in favor of reducing the number of the Civil Servants and confining the competition in England to Europeans only, and having a competition in India exclusively for Natives?—Yes.

1613. Are you in favor of giving preference to men of tried loyalty and distinguished service and of good social status, provided their intellectual and moral qualifications are fairly on a par?—Yes.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

1614. Are you in favor of retaining the Statutory Service?—Yes, provided limited competition is introduced.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur—contd.

1615. By how much would you have the Covenanted Service reduced?—Not more than one-third of the whole, which includes the proportion at present reserved for the Covenanted Service.

Mr. *Crosthwaite.*

1616. Of what Province are you a Native?—I am an Honorary Magistrate and Municipal Commissioner resident at Benares. My grandfather was a Native of Bengal. My father came to Benares, where I was born. I am a zemindar, and possess, land both in the Benares District and in Bengal.

The Hon'ble Mr. Justice *Mitter.*

1617. Would you apportion appointments between Mahomedans and Hindus?—Yes.

1618. To which class would you assign Parsis and Buddhists and Jats?—I would assign Buddhists and Jats to the Hindus. A portion of the appointments might be reserved for Parsis.

1619. Would you exclude Natives from competition in England?—Yes.

1620. Why?—Because I think they would lose caste, and, at the same time, sympathy with the higher interests of the Native community, that is, their religious interests; and therefore would not command the confidence of the people, and in their turn would regard with scorn the followers of the religion they have themselves renounced.

1621. Then you think a visit to England makes a man a less able administrator than he who has not been there?—I do not say that, but an administrator, rather, who is not looked upon with the same confidence, fellow feeling and respect as one who has always lived in the country, and whose ideas have not been estranged from his countrymen.

Mr. *White.*

1622. What proporiton would you assign to Eurasians and domiciled Englishmen?—That would be determined by the proportion which the two classes bear to the population.

1623. How many appointments do you think these various classes would get under your scheme?—I have not calculated that.

1624. Would you exclude Eurasians and domiciled Englishmen from competition in England?—No.

Mr. *Crosthwaite.*

1625. Is the objection to going to England entertained by all Hindus of all classes?—By all classes except the few who have renounced their caste feelings owing to English education, but I think the objections are growing weaker.

1626. Do you think there are objections on political or administrative grounds to open competition for the higher administrative posts?—Yes; I think on such grounds those posts should be reserved for Europeans.

Mr. *Crosthwaite*—contd.

1627. Should the subjects and conditions of examination in India be the same as those prescribed for competition in England?—They should be the same except that the classical literature of this country should be on the same footing as the Western classics.

Mr. *Stokes.*

1628. You say that Hindus lose caste by going to England: cannot they regain it when they return?—That is impossible up to the present time, because the Pundits have pronounced against it. Almost all those who went to England have not been received back into caste.

The Hon'ble Mr. *Quinton.*

1629. Are the Pundits unanimous on this point?—Yes.

1630. Is the question in no way under consideration?—No.

The *President.*

1631. Have you any objection to the existing system for the recruitment of the Uncovenanted Service,—meaning merely Deputy Collectors, Sub-Judges, Munsiffs and Tahsildars?—I think it is good enough.

1632. Would you recruit for it by nomination, competition, or by both systems combined?—I would give a preference to the educational qualification.

1633. Would you recruit for it provincially or from the whole of India?—Provincially.

Mr. *White.*

1634. Is there any rule which limits the operation of caste to this country, so that a man can do as he likes when he has left the shores of India?—There is no such rule.

WITNESS XXIII.—*3rd January, 1887.*

Examination of F. W. PORTER, Esq., of the Covenanted Civil Service; Magistrate and Collector, Allahabad. *F. W. Porter, Esq.*

The *President.*

1635. You have been Magistrate and Collector of Allahabad for about three and a half years?—Yes.

1636. And you formerly held the same appointment in Benares for about five years and a half?—Yes.

1637. And have been Settlement Officer at Bareilly and Allahabad?—Yes.

1638. How many years have you been in the service altogether?—Twenty-one years.

1639. Have you studied this question of the Statutory system?—I have not come to any definite conclusion on the subject.

1640. Can you say whether the present system of recruiting by nomination for the Statutory Service is generally approved or disapproved?—I cannot say personally. I am not prepared to suggest any better method. If the service is to be retained I should preserve the system of nomination.

1641. Do you think the definition of "Natives of India" satisfactory?—I have not arrived at any definite opinion about it.

1642. Would you retain the Statute?—No; I don't think I would.

1643. What would you substitute for it so as to admit Natives to a share in the appointments held by the Civil Service?—I am not prepared to suggest anything.

1644. Have you had experience of the young men appointed under the Statutory system?—I have. Two of them served under me.

1645. Do you think their qualifications are equal to those possessed by the best men in the Uncovenanted Service?—No; I do not. They are certainly inferior.

1646. Do not you think it would be better, instead of appointing inferior men by nomination, to appoint tried men from the Uncovenanted Service or professions?—Certainly.

1647. What is the general feeling with regard to the mode of recruitment for the Civil Service? Would you make any change in that method?—I would make a change in regard to age. I would raise it from nineteen to twenty-two.

1648. Would you make a change in the subject of examination?—I have not considered the subject.

1649. Do you consider that Natives of India labor under any disadvantage in regard to the English competition?—If the limit of age is raised I should say none whatever, except the expense of going to England.

1650. Have the Hindus any strong objection to going?—At present they have. I think the objection is general, but to a certain extent wanting in intensity.

1651. Would you have an examination in India simultaneously with the English competition?—Decidedly not.

The *President*—contd.

1652. To what class of appointments do you think Natives could with most advantage be admitted in the Covenanted Service?—I should think Small Cause Court Judgeships and Civil Judgeships.

1653. Would you employ them in Executive posts?—Certainly not in the higher ones.

1654. Have you seen them at work in some sub-divisions?—I do not think we have any in this Province.

1655. Would you place them in charge of a district?—No.

1656. Why?—Because I think that in some cases, although they might act with strict impartiality, they might not get credit for doing so among the people; and I think also that they might find it very difficult to withstand pressure from their caste-fellows and others in a great many instances.

1657. Are there circumstances arising out of social and religious feelings which would make such appointments undesirable?—Yes; I think in the case of religious disturbances, for instance.

1658. Have you had such disturbances in Allahabad?—No actual disturbances, but very much feeling existed. I was Magistrate at the time.

1659. Did the Native officers of the district give you material assistance during this excitement?—The subordinates in the police did, but as for the Native civil officers I hardly asked them for assistance, because I preferred to make use of others.

1660. Did any judicial case arise out of the excitement?—One only here: it was tried by a European officer.

The Hon'ble Mr. *Quinton.*

1661. In how many cases of apprehended disturbance had you to call in troops?—Not once this year, but the year before I found it necessary to do so.

Mr. *Nulkar.*

1662. Would Natives not be open to similar influences in the exercise of civil justice?—Certainly they would; but trying a case in court is very different to quelling a disturbance or working in executive matters.

1663. Would Natives of another Province be comparatively free as regards such pressure?—Yes; if they had no ties here whatever.

1664. Would you be surprised to hear that, in a similar dispute between two hostile sections of Hindus, the local Magistrate, who belonged to one of these sections, sent the case to the District Magistrate, and the District Magistrate said: "Never mind, I have confidence in you?"—I think there are exceptions to every rule, but I should be surprised to hear that such incidents were the rule.

Mr. *Stewart.*

1665. What are your objections to holding the competitive examination for the Covenanted Service in India simultaneously with the examination in England?—I do not think it could possibly be worked on a uniform plan. I have no objection to it if the practical difficulties could be got over.

Mr. *Stokes.*

1666. What are these practical difficulties?—In the first place, the question papers would have to be sent out from England, and experience has shown, in this Province at least, every year, that the questions can be got at.

The Hon'ble Mr. *Quinton.*

1667. You have been Magistrate of Allahabad, and also of Benares, and at both places cases of religious ill-feeling and rioting have occurred. Would you at such times have readily sent cases in which Hindus were involved to be tried by a Mahomedan Magistrate, and cases in which Mahomedans were involved to be tried by a Hindu?—No.

The Hon'ble Mr. Justice *Mitter.*

1668. Have you any experience of any subdivision in charge of a Native?—No.

1669. Would you have any objection to putting a Native in charge of a sub-division?—Not under the control of the Magistrate of the district.

Sir *Charles Turner.*

1670. Is it the duty of the District Judges to supervise the Native Judges under him?—I have no experience of judicial work, but I suppose it is.

1671. How would you manage about giving criminal judicial work of the District Judges?—By having Circuit Judges.

1672. Are you able to say whether it has been found possible in practice to get Judges to travel on circuit in the hot season?—No.

1673. Have you considered whether it would be politically expedient to entrust the whole civil judicial work of the country to one race?—I do not mean to say that Natives should have all the Civil Judgeships.

1674. What is your experience of Natives as Criminal Magistrates?—I think some of them make very good Criminal Magistrates.

1675. Do you see any reason why they should not be entrusted with larger powers in criminal matters? I certainly should not give them larger executive powers.

1676. In Sessions cases?—That is a question I have never considered. As regards the men I have mentioned, I think they might be trusted with Sessions work.

The *President.*

1677. Meaning by Uncovenanted Service, Deputy Collectors and Tahsildars, on the one hand, and Subordinate Judges and Munsiffs on the other: would you recruit it from Statutory Natives only, or from all classes of Her Majesty's subjects?—I should certainly throw it open to all.

1678. Do you know what the effect has been of the Secretary of State's orders that no Uncovenanted appointments over Rs. 200 a month should be open to Europeans without special sanction?—I don't know.

The *President*—contd.

1679. Do you think there ought to be an admixture of Europeans in the Uncovenanted Service?—I think there ought to be some.

1680. In recruiting for that service, would you have patronage only, or limited competition or competition?—I think the present system, which I believe to be nomination followed by examination departmentally, is the best. At least I am not prepared to suggest any other.

1681. Have you got men of good family in any number in the Uncovenanted Service?—We are getting more now.

1682. Have you any professional men?—I believe there are some in the Judicial Service.

1683. Would you recruit provincially or from all India?—I think it would be better to recruit provincially, but not so as to exclude Natives of other Provinces entirely.

1684. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—I have not considered the question.

Mr. *Crosthwaite.*

1685. Why would you have an admixture of Europeans in the Uncovenanted Service? In which grades of the service do you want them?—I think they might be allowed to come in, not as Tahsildars, but as Deputy Collectors. For instance, you put in Europeans as your head clerks, and if they are not allowed to come into the Uncovenanted Service, they have nothing else to look forward to. I have no administrative reason for it.

The *President.*

1686. Supposing the strength of your European Assistant Magistrates and Collectors should be reduced, would it be necessary to have a corresponding recourse to Europeans for the Uncovenanted Service?—Not absolutely necessary, I think.

The Hon'ble Mr. *Quinton.*

1687. You are aware that there are some districts in which, during the leave season, only one European officer is left on duty. Would you increase the number of Europeans on that account?—I would certainly have so many as to allow of one Assistant to the District Magistrate in every district, and in large districts, of two Assistants.

Mr. *Crosthwaite.*

1688. Are you aware that in some Provinces the case in which there are two European officers in a district is exceptional?—I did not know that.

Mr. *White.*

1689. When you say Europeans, what class of the population have you in mind?—What would in the Criminal Procedure Code be defined as European British subjects.

The *President.*

1690. Should any distinction be made in the salaries attached to posts reserved form the Covenanted Civil Service, according as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted branches?—I am not prepare to answer that.

1691. Would you allow the same furlough rules in the case of Native and European officers?—I should not think so.

WITNESS XXIV.—*4th January 1887.*

Examination of A. C. TUPP, Esq., of the Covenanted Civil Service ; Accountant-General, Allahabad. *A. C. Tupp, Esq.*

1692. I belong to the Covenanted Civil Service. I entered the service in 1862.

The *President.*

1693. What appointments have you held ?—I have been Assistant and Joint Magistrate, three years as Subordinate Judge, and one year a Collector. I subsequently entered the Financial Department and have been eight years Accountant-General.

Mr. *Crosthwaite.*

1694. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved in this Province ?—I have no special means of knowing whether it is or not. My only means of knowing are from what I hear from the educated Natives in my own office as Accountant-General, a great many of whom are graduates, and they are all certainly dissatisfied with the present system, and rightly so as far as I can judge from the instances I have seen of men of almost equal standing and ability, the one getting into the Statutory Service and the other glad to accept a comparatively low clerkship in my office.

1695. How many graduates are there in your office ?—I should think there are about twelve in all ; of course they only enter the upper ranks of the office.

1696. And the opinions you are expressing now have been formed by conversing with them ?—Yes, and not merely in the North-West, but in Calcutta and Bombay also. I have had charge of the Accountant-General's Offices in all those provinces, and in those places I have had a good deal of communication with educated Natives.

1697. On what grounds is this dissatisfaction based ?—Chiefly on the ground I mentioned, that the uncertainty is so great whether a very successful graduate will obtain a mere clerkship in a public office or an appointment as a Statutory Civilian. Perhaps there is another reason for discontent, in that many of them object strongly to any form of nomination, and wish that these appointments should be entered by competition.

1698. They do not object to the appointments themselves, as not being worth having, as inferior ?—I don't think so at all. They certainly do not think them on an equality with those in the Covenanted Service, but they think they are such great prizes that they ought not to be given away in the way they are now given away.

1699. Is that your own opinion also ?—Yes.

1700. Would you amend the rule or the Statute ?—I am hardly prepared to say. That is more a question for the Executive Government. The principle which I would approve is that, of giving them entirely by open competition. I don't care which way the principle is applied, whether by holding separate examinations or whether your examinations are held in your Universities, so long as you give the appointments to successful graduates. I think myself it comes to very nearly the same thing. The great point seems to be to give any man a chance of a permanent appointment if he can show himself worthy of it.

Mr. *Crosthwaite.*—contd.

1701. Are you in favor of retaining the power which Government has of giving these appointments ?—I would prefer not to see any Statutory Service as now constituted. Of course that answer requires a good deal of explanation and limitation.

1702. You mean you would substitute something for it ?—I think there are preferable systems to the present one, and I think the present one is better than the past ones.

1703. Supposing the Statute is retained, have you any suggestion to make in regard to the description of persons on whose behalf the powers under the Statute may be exercised, that is to say, with regard to the definition of Natives of India ?—I would make it as wide as possible.

1704. So as to include Europeans not domiciled in India ? Certainly not if they could not be fairly called Natives of India, but I would include a pure European by birth, if permanently domiciled here.

1705. If the Statutory Service is retained, would you require the selected candidates to proceed to England for training ?—Yes, if you mean to place the service on an equal footing with the Covenanted Service, but if you wish to maintain it as a distinctly inferior service, I am not prepared to say that I would insist on that qualification.

1706. The question is in regard to the efficiency of the Statutory Civilian as an officer ?—I think he never will be as efficient as Covenanted Civilians, unless you do make going to England for training a condition of the service.

1707. What length of time would you require him to remain in England, and what kind of training would you recommend ?—The only experience we have had at present of the influence of an English training on Natives is in the case of barristers, who remain there for three years, and from what I have seen of such men, I should consider three years was certainly sufficient. Three years also is the time in the case of the Universities at home, in which a man is required to take his degree, and therefore I think that the natural period to impose in this case.

1708. Would you compel them to go to a University or provide special training for them elsewhere ?—I have no strong views on the subject, but I think it would be advisable certainly to induce them to attend some University or College.

Mr. *White.*

1709. Do not you think that the Uncovenanted Service, that is, that the men of good merit and ability become disgusted through their non-promotion to the ranks of the Statutory Service ?—Under the present system where they appoint only young men to the service ?

Mr. *White*—contd.

1710. Is that not a cause of dissatisfaction with the Uncovenanted Service?—Of course it has only been a short time that it has been possible to appoint to the Statutory Service, since 1880, but certainly I do think that some of the superior employés have been disappointed that no opportunity has been taken to appoint them under the class of proved merit and ability.

1711. The Government could have had men of proved merit and ability for the Statutory Service from the Uncovenanted Service, or from any other field, but instead of that as you know under the rules young men entirely untried have been appointed to the Statutory Service; and during the time they were qualifying they have been paid a salary beginning on Rs. 200 a month. Do not you think that the expense to the State was unnecessary, when Government could have laid their hands on men who had already shown their merit and ability?—It is rather difficult to give an answer as to the comparative merit of two schemes, of both of which I disapprove: I feel a difficulty in answering your question. I do not approve of nominating young men or Uncovenanted Service officers direct into higher posts. Still I agree with you so far that I am not prepared to say there was not a waste of power in appointing these young men; and I think the purpose of the Statute was to appoint some young men of proved merit and ability.

Mr. *Ramaswami Mudaliyar.*

1712. I understood you to say that if your scheme was adopted, you would be for abolishing the Statutory Service?—May I ask which scheme?

1713 Your own scheme is to have Natives eligible to be admitted into the Covenanted Civil Service?—That is, with slight modifications, the present system.

1714. Do you think there should not be some arrangement by which men who have distinguished themselves in the Uncovenanted ranks should be admitted into the Covenanted ranks?—Not ultimately. I am not prepared to say that they should not be at present, because for the next ten years we cannot, if my plan of open competition be adopted, expect to fill high offices by an untried, entirely new system. In the interval it should be possible to appoint direct from the Uncovenanted Service; and with that exception I would admit only by competition.

1715. Then there would be no opening for men who distinguished themselves in the Uncovenanted Service to rise to high posts?—They could always go in for open competition. Omitting a gap of ten years, during which there must be difficulty, there would be no man who had not the chance of going in by open competition.

1716. Supposing a young man did not compete for the Uncovenanted Service but occupied the Statutory rank and discharged his duty honorably, would it be fair to him that he should not be able to rise to those posts which are now exclusively reserved for Covenanted Civilians?—Perfectly fair, because he has had every chance given him, five or six chances, under any system which I advocate; I would have the limit of age as wide as possible and examinations, if necessary, held yearly; I would give him ten chances if you like, so as to avoid all danger of accident or illness or that sort of thing; but, having given him every chance of succeeding, if he did not or was unable to do so, there would be no necessity to bring him into the higher service in after-life.

Mr. *Ramaswami Mudaliyar*—contd.

1717. Taking the judicial branch where a Munsiff rises to be a Subordinate Judge or a Small Cause Court Judge, who has served Government faithfully for fifteen years and is considered fit in every way to be appointed a District Judge; why should not that honorable post be open to him?—Under the present system it would be open to him.

1718. Under any system?—Certainly not; he should have taken his chance and entered the higher service. Under my scheme it would be impossible for him to be admitted; he would not be in the higher service but in the lower service, from which it would be impossible to promote him.

1719. You include in your lower service all appointments up to Rs. 400, as I understand you?—If he entered as a Munsiff in the upper Civil Service he would be eligible. It will depend upon where you recruit your Munsiffs from.

1720. Would you admit the Bar?—Certainly not.

1721. Would not the service be strengthened by appointing men from the Bar?—No. England is the only country in the world where Judges are appointed from the Bar. I do not see it has worked better in England than in other countries. I know something of France and Germany.

1722. And you think it is not better than other countries?—No. I think the system of appointing from a trained service for judicial posts superior to the English system of appointing from the Bar. The English Bar may receive a better training than English Judges for all I can say, but they do not receive a special training as Judges. I do not exclude them; I say they are not eligible. They are not members of the service.

1723. Do you think it would be a healthy state of things that members of the Bar should be altogether excluded from that high service?—I would ask in reply whether you think Judges in France and Germany are incompetent men?

Mr. *Stokes.*

1725. Would you have the examination for the Statutory Service, if maintained, provincial or open to everybody?—If the Statutory Service was retained in exactly its present form, I would have it provincial.

1726. Why would you have it provincial?—Because it is then not exactly in the position of the present Covenanted Service, it is only in the position I would give to the higher public service; it is a sort of special means of introducing Natives into the higher service, and therefore I do not see any reason for introducing a service for the whole of India.

1727. If it were open to all India do you think there would be a great influx of men from Bengal into the present Statutory Service?—Yes, if it were open to all India, I think the Natives of Bengal would obtain the majority of places.

1728. Do you mean under the system of open competition?—Yes.

Mr. *Stokes*—contd.

1729. Do you think the Natives of Bengal good men for public office?—No.

1730. You have appointed many, have you not?—I have not appointed a single man from Bengal. It was necessary twenty years ago, it is not so now. Nearly two-thirds of the men in public offices were Bengalis. In the three years that I have been Accountant-General here, I have not appointed a single Bengali, as I found such an enormous majority of Bengalis in the office.

1731. What is the lowest salary at which you can obtain the services of a B.A. here?—Did you ask about Madras or where?

1732. In Allahabad?—In Allahabad, a man will enter on Rs. 40 unless he has taken very high honors or something of that kind. As a rule I put in a B.A. on Rs. 40 and an M.A. on Rs. 60, with a promise of promotion if they learn their work.

The *President*.

1733. You say you would exclude from admission. Europeans not permanently domiciled?—Yes.

1734. Does not the earlier Act of 1833 throw all offices open to all qualified Natives of India and natural-born subjects of Her Majesty resident in India?—I may say that I am not prepared to give you any legal opinion of what it should be.

1735. In using the word domicile, are you not putting on a restriction not imposed by the Act of 1833?—I would insist merely that a man should have thrown in his lot permanently in India, and did not intend to reside permanently again in England.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

1736. You said that there were a great number of Bengalis in your office, two-thirds of the total, and for that reason you would not appoint any Bengalis?—No.

1737. And yet you are very strongly in favor of open competition?—Yes.

1738. How can you reconcile, then, your own opinion?—It is difficult to say in a short answer.

1739. A long answer then?—I have suggested the precautions I would take to prevent any one race having too strong a hold on the appointments.

1740. Do you apply to all the services generally, or to only a particular service, the precaution of not allowing one race to predominate in the Government service?—I have said that I am prepared to apply it to what is now called the Covenanted Civil Service, that is, the higher Civil Service of the country; I would apply it to the clerical service and to the Uncovenanted Service, which would then become the Subordinate Executive Service. But I have not stated the precautions yet, I may say.

Mr. *Crosthwaite*.

1741. As to the Covenanted Service. Is any dissatisfaction felt in India with the existing system of recruitment for the Covenanted Civil Service, so far as you know?—Yes, amongst Natives, there is certainly.

1742. On what grounds?—The reduction of the minimum of age and the necessity of going to England for the appointment.

Mr. *Crosthwaite*—contd.

1743. I suppose the basis of dissatisfaction is that a sufficient number of candidates do not succeed?—I do not think that is so, but, as a fact, a sufficient number do not succeed.

1744. That they are put to disadvantage by the present age and by holding the examination in England?—Yes; they feel that they have not the same opportunities as Englishmen of passing the examination, the same chance of success.

1745. Do you agree in that opinion that there are disadvantages in these respects?—Yes.

1746. Have you any scheme to propose that would remedy these disadvantages?—I would increase the limit of age.

1747. State now the whole scheme that you propose. As regards the Covenanted Service what do you propose to substitute for the present system?—I do not propose to make any material alteration in the present system, but I would certainly make the limit of age as wide as possible, seventeen to twenty-three. In all such answers I am not prepared to express any particular figure; but as the lowest limit suggested is seventeen, and the highest twenty-three, they will probably be considered reasonable; and therefore, I would say, make the limits of age seventeen to twenty-three.

1748. Where would you hold your examination?—I would hold one open competition examination in India, so that Native candidates might have a chance of succeeding without first going to England, because I consider you unduly weight them if you make them go to England with only a chance of succeeding. If you could guarantee them an appointment, I should say you have a right to compel them to go to England; but as you cannot guarantee the success of any person, I think Indian candidates should go up here if they prefer to be educated out here.

1749. You would have an examination in England also, simultaneously?—Certainly, as at present; exactly the same or as nearly as possible the same papers, to be examined in England afterwards, in fact no difference in any way.

1750. Do you see any practical difficulty in that?—I see no difficulty. Examinations already take place that way.

1751. *Vivâ voce?*—You must necessarily examine *vivâ voce*. In India you have men who could examine *vivâ voce* in subjects in the Indian Civil Service Examination, both in the Educational Department and in our own service. The examinations for the University of London and the Gilchrist Scholarship are held out here in the same way. Certainly, I would have all the English papers sent to the Central Committee and examined there.

1752. What are the examinations of the University of London?—All the examinations up to B.A. are competitive in the sense that the men are placed in order of merit and get scholarships in order of merit.

1753. Have they a *vivâ voce* examination?—In England they have; I have no experience of how they are conducted out here.

1754. Would you have an examination at one place in India or at more than one centre?—At one centre; I have no strong opinion on the subject, but I think it would be advisable for candidates to show they had no objection to

Mr. *Crosthwaite*—contd.

leave one Province and undergo a little trouble in order to contest. I would be in favor of having it at one place so as to impose this difficulty on candidates.

1755. Then you would have an identical simultaneous examination as far as possible in England and India?—Yes.

1756. Do you propose to alter the marks for existing subjects, or to add any subjects?—On the whole, I am inclined not to change them in any way: if any change was made, I think it should be in Greek, placing it on a level with Sanskrit and Arabic, butI have no strong opinion in favor of any change at all.

1757. You would have these two examinations, one in India and one in England. Would you have one list for the successful competitors or would you apportion the places?—I would have one list. In my opinion the whole scheme of competitive examination is vitiated if you give any advantage to one competitor over another.

1758. Then as regards the candidates who succeed in the Indian examination, do you propose to send them to England for training?—Yes, certainly.

1759. You would compel them to go?—Yes: on the ground that a man is not fit to govern even an average Indian district where some Europeans reside, unless he has a knowledge of European life, customs and manners.

1760. You have no other reason for requiring them to go to England? Supposing there were no Europeans in the district, would you still hold an English training necessary?—So as to widen their training generally: I would have a good man all round, and if he has passed very high he might subsequently undergo a training that would fit him ultimately to become a Commissioner or anything else.

1761. Then as regards the training in England, would you submit them to some course such as the English successful candidates are made to pass?—Yes, but I may say that I am not in favor of the present restrictions of two or three Universities and Colleges where they should go. I think that that is an unnecessary limitation: and that any restriction of that kind is bad.

1762. But you would put them through some course of reading and subject them to some final course of examination?—Exactly; so that when a man comes out here to the higher Civil Service he should have had the same training as European candidates.

1763. If he failed to pass this final examination?—The result would be the same as to the European candidate. He should understand he would receive in England the same remuneration as a European candidate would receive.

1764. Would you pay his passage to England?—I should not. I have not considered that question carefully.

1765. Have you had any opportunity of judging of the Native gentlemen who have succeeded in the open competition; have you seen any of them?—Yes, not in the Statutory Civil Service, but competitive Civilians; I have seen several.

1766. Do you think they are the best that could be obtained under this or any system?—That is rather a theoretical question.

1767. Are they as good as you would expect to get?—I think so as far as I have had an opportunity of seeing, and as far as they have had opportunities of rising. There is one in Bombay, a Subordinate Judge. I have not seen him and I am not acquainted with his reputation; but in Bengal there are two who have been Magistrates of whom I have heard good accounts.

1768. Have you had any intercourse with them?—With one who has acted as Joint Magistrate, but he has not been long a Magistrate—he has been a Joint Magistrate for a long time.

Mr. *Ramaswami Mudaliyar.*

1769. Is your scheme intended only for those posts which are now held by Covenanted Civilians, or is it to apply to all?—No, in my opinion it would extend to those posts, such for instance, as are held by the civil judiciary, not now held by the covenanted judiciary, all Munsiffs and Subordinate Judges.

Mr. *Crosthwaite.*

1770. With regard to what is called the Uncovenanted Service, by which we mean Deputy Collectors, Tahsildars, Subordinate Judges and Munsiffs? Do you class Tahsildars with the others you name? In your answer you can separate any of them or all of them. The first point is, would you recruit that service or any part of it from the Natives of India as defined by the Statute of 1870, or from all natural-born subjects of Her Majesty?—I would recruit down to the ministerial grade which I am hardly prepared at present to define, because it would be such a very minute administrative question.

1771. Any approximate limit?—I would include in the upper Civil Service all posts at present held in the Uncovenanted Service.

1772. Throwing the whole service together you would divide it into upper and lower?—Yes.

1773. And in the upper part you would include the present Covenanted Service and a portion of what is now called the Uncovenanted Service?—Yes, in the upper class certainly, Subordinate Judges as an instance.

1774. Deputy Collectors?—At present it seems to me Deputy Collectors occupy rather a subordinate position, but certainly the upper grades where they draw Rs. 800 a month should be included in the upper class; roughly speaking, say, every one drawing Rs. 500.

1775. As an approximate limit you would put those in the upper service and the remaining appointments would go into the lower service?—Yes.

1776. How would you recruit for the upper service?—By the method I have been describing, simultaneous and identical examinations in England and in India.

1777. That applies not only to the present Covenanted Service but to all the other appointments you would include in it?—The upper ranks of the Uncovenanted Service too.

1778. Then as regards the lower services how would you recruit that?—By equal open competition among Natives of India in the Statutory sense.

1779. Provincially or open to the whole of India?—I have not specially thought it out, but I am inclined to say provincially.

1780. Would you have absolutely open competition, not nomination?—Yes.

Mr. *Crosthwaite*—contd.

1781. Would you promote from the lower service; would you have a course of promotion to the upper service?—I do not like to say absolutely I would not have any, but I would make it exceptional and most unusual. I am not prepared to say I would give the local Government, but I would reserve to the Supreme Government such power, merely because there might be some case of extraordinary merit in men who ought to be promoted to higher positions. It is in such cases doubtful whether posts outside the usual Civil Service of the country could not be provided for men of exceptional merit. In India there are always posts in Native States where we have been asked to furnish men of exceptional merit, that would give an opening for them. At any rate I would reserve the right to the Supreme Government, but I would make it most unusual.

1782. In the lower service there would be Munsiffs and Tahsildars?—Yes, and probably Deputy Collectors. Probably all Deputy Collectors would fall into that branch, as there are only three grades of Rs. 500 and above.

1783. Have you calculated the effect that such a scheme might have on the character of Tahsildars, Munsiffs and Deputy Collectors in the service? Having no promotion open to them you would not get first-rate men to take those appointments?—You would not get the men who, by aspiration or ambition, thought themselves justified in competing for the upper service I admit certainly, but I imagine it would hardly be necessary to obtain the same qualifications in a Tahsildar as in the Collector of a district.

1784. But if the door is practically closed to any particular service, that service would be hampered materially? Is it not so now? Do you know of any instance of a Tahsildar or Deputy Collector rising to any of those high appointments under the present system?—[The *President:* A great many Tahsildars become Extra Assistant Commissioners, that is the same thing. Extra Assistant Commissioners rise to Rs. 800 a month.]

1785. Everything above Rs. 500 you say goes to the upper service?—Leaving that gap of ten years there would then be the opportunity for those now in the service to rise to the upper service. No man of unusual qualifications would afterwards dream of entering the lower service.

1786. But how are we to get men of superior ability?—You hold out promotion now to Tahsildars.

1787. Munsiffs have Subordinate Judgeships open to them; Tahsildars have all the ranks of Deputy Collectors open to them?—I would ask you not to take too absolutely any exclusion or inclusion of a particular class. Munsiffs should be included in the upper class distinctly as Civil Judges; and though of lower grades they should be able to rise to any post.

The *President.*

1788. Would not the subordinate service be deprived of all hope of superior service?—I should not like to put it in that way. I cannot agree to that. What I propose does not differ from the course now pursued with regard to clerks in large public offices. Every clerk knows he has only the smallest chance of rising to a gazetted appointment.

Mr. *Crosthwaite.*

1789. Do you not think a Tahsildar's a most important appointment?—I admit it is an important appointment.

1790. How do you describe a Tahsildar?—A Tahsildar is chiefly an executive officer, only in a minor degree a judicial officer.

1791. Is he not in every way, in his tahsil, what a Collector is in his district?—Yes, he is the head of the executive power.

1792. Do you not think a great deal of the public welfare depends on his character?—Certainly.

1793. Do you think that his acts affect the landholders?—Certainly, he is to them the Collector.

1794. In that case is it not important to offer some inducements to Tahsildars?—Certainly: I think it is an important office; and it is a question whether they should be excluded from the classes who should rise to the upper ranks or not. I am not prepared to say they should; possibly you might have to draw the line just below Tahsildars.

Mr. *White.*

1795. Some of those who would go in for competition for the higher appointments would enter in the lower appointments; and there would be no objection to their promotion provided they passed the competitive examination for the higher service?—Certainly not.

1796. Would you not reserve a certain proportion of the appointments in the higher service for men of extraordinary merit and ability in that lower service?—No, because I should put the line of distinction so low that I do not think any one would advocate it. For instance, you would never advocate promoting a chaprassi to a Collector; and I would draw the line for the upper appointments very low, say below a Tahsildar. You would not suggest promoting a Naib Tahsildar who was not fit; and in that case you would not exclude any one of ability or merit.

1797. You would put it so low as to give every man of good education a chance?—Provided he entered the Government service between the limits of age.

Mr. *Ryland.*

1798. Would you have the upper service recruited by open competition in England?—Not only in England; in India as well.

1799. That would represent the present Covenanted Service. What would you call the Uncovenanted Service?—I should have much wider limits than the Covenanted Service—what is now called the subordinate executive service in Bengal, and what we call the subordinate account service in our department, as far as I understand.

1800. We have men drawing Rs. 1,500 in the service?—Certainly, but they would fall into the higher branch.

1801. Would you leave no door open to those men who are now in the Uncovenanted Service?—There seems to be some misapprehension as to my desire to exclude any class I do not wish to exclude anybody; I wish to include all classes.

The *President.*

1802. You say that for ten years it would be necessary to make promotions, but that after ten years there would be no necessity for them?—Yes, that represents my view.

Mr. *Ryland.*

1803. You said there was a large proportion of Bengalis in your office, two-thirds?—I think that was so when I joined the office.

1804. How did those men enter?—They had been there very many years.

1805. Simply brought in by their *confrères*?—It is necessary for the objects of this Commission that I should mention entirely what has happened in the office? I am quite willing. [The *President*: I think it is not necessary you should say what has happened in the office. You are speaking of the Accountant-General's Office. That is excluded from the scope of our inquiry at present.]

1806. I desired to know if they were superior to the Natives of the Province and were appointed to their detriment?—I should say twenty years ago they were superior, and that the reason why it was found necessary to promote a number of Bengalis was that in the North-West the men did not know the English language well enough. Bengalis were being appointed up to the day that I came here. I then thought the number too preponderating for the good of the office, and therefore I recruited from other classes, and because the North-West men are now quite fit for service.

Mr. *Ramaswami Mudaliyar.*

1807. You said you would draw the line below Tahsildars and Munsiffs. Of course you are aware that the pay of Tahsildars begins at something like Rs. 150 and rises to Rs. 250, and that the pay of a Munsiff begins at Rs. 200 and rises to Rs. 400. Do you think you would get Englishmen who had passed the competitive examination in England to come over to India and serve on such small pay as Rs. 200 or Rs. 400?—I never advocated that they should; I am hardly prepared to say whether they would do so or not.

1808. Any man, Englishman or Native, could enter the Covenanted or upper ranks then by a competitive examination; and if he loses that chance he cannot enter?—You mean if you place the limit too low as regards pay for the lower service. I consider there is a difficulty in placing the limit too low. These are mere administrative questions to be decided by experience, namely, to say exactly how low you would go and how low you would wish Englishmen to enter. You might confine Englishmen to executive appointments.

1809. You can only draw the line between executive and judicial. But they must rise from the bottom, and therefore it must be such a line as would enable you to get good men?—Yes, it must be.

1810. In addition to this difficulty of pay, do you think it would be advisable to have Europeans as Tahsildars and Munsiffs, considering the nature of the work?—No, but I think you are rather forcing on me the suggestion that a Tahsildar should be included. I hardly know where to draw the line; but I think they might be excluded in some Provinces. I have mentioned Munsiffs as Civil Judges of a lower grade, and they perhaps would have to belong to the upper service.

Mr. *Ramaswami Mudaliyar*—contd.

1811. There is another difficulty. Do you think they would prove to be competent Judges, and would do their work satisfactorily? Do you think Europeans, if appointed on a large scale, would give satisfaction to the people?—You mean on first arriving in India?

1812. Yes, as Munsiffs?—No, probably not. They would not know the language well enough or the habits of the people.

1813. And the nature of the work also?—That is practically knowing the habits of the people, it seems to me.

The *President.*

1814. There is one essential point in your scheme as it appeared in the papers, which places us rather at a disadvantage; your scheme, as I understand it from the printed papers, includes not only a section of the service that we are inquiring about, but the Uncovenanted Service in all other departments of the Government?—Yes.

1815. So that it would embrace a very wide area and give great scope to men of ability to pass, and the number of appointments available would be very much larger than at present, or under the restricted scheme about which we are now enquiring?—Yes.

Mr. *Ramaswami Mudaliyar.*

1816. If you include Munsiffs and Tahsildars you go too low, and cannot get competent Englishmen to do the work?—Yes.

1817. The other difficulty that I want to place before you is this. Supposing you excluded them, you say you would place them on a par with Subordinate Judges: they would of course always draw Rs. 500 and upwards, but they would do appellate work. How do you expect a man with no experience as to original work to be able to judge of the work of others? If you have Subordinate Judges in the higher courts and Munsiffs in the lower, you will have young men from England trying cases as Appellate Judges?—Yes.

1818. Do you think they will be able to do the work satisfactorily, seeing that they have had no experience of original work?—You may have seen in the paper I wrote that I propose to train men differently after the open competition at home, for the first and other branches of the service; and I see no objection to training them for the judicial line. One set of men would become Subordinate Judges, and the difficulty would be in the matter of language on their first coming out: otherwise I do not see why they should not be fit when they first arrive.

1819. Would a member of the Inns of Court, when he first came out, be as good an Appellate Judge as a Subordinate Judge?—I do not see why he should not; a Judge of the High Court comes out straight.

1820. He has been practising for twenty years perhaps?—In many cases not, certainly.

1821. Do you think in any case less than ten years?—I think there is a legal limit. [Sir *Charles Turner:* The legal limit is five years.] There might be a rule passed that only those who went in for the judicial line should be

Mr. *Ramaswami Mudaliyar*—contd.

eligible for Subordinate Judgeships. In that case probably all the appointments would be given to the Natives of India.

1822. Do you say that Europeans would not like to become Subordinate Judges or District Judges?—I assume that all these appointments would go to the Natives of India.

1823. Men who had been practising?—I think they would learn civil or appellate work very quickly; I cannot say how long it would take, but I had to learn it in three months. I was made Subordinate Judge at Dehra Dun. I do not wish to give evidence on judicial matters, because I have been many years out of the line; but I think and believe appellate work is much easier than original work, because you have all the case before you, you have all the evidence before you, and you have not to frame issues.

Mr. *Nulkar.*

1824. You told us you would take certain precautions to prevent one class monopolizing the whole of the appointments. I should like to know what those precautions are?—In my letter on that subject—it is not printed yet, and therefore I am unable to read out my scheme in full—my point is that you can, as you know, by staff college restrictions where a number of appointments have to be given to any regiment or corps, you can have a restriction in the number of appointments in any particular year, and when the full number is completed, no more men could be successful in that year. Supposing your object is to take two men in Bengal, say in every five years ten: if they were filled by Bengalis, no more than that two or ten could be appointed.

1825. How do you think such a scheme as that would accord with the Charter Act of 1833, which removes all distinction of race, creed and color?—It is a restriction on the freedom of open competition, but I do not at present see my way to removing such restriction. I do not say that any one race would monopolize the appointments; I say, if they did, I think in the present political state of India, it would be a serious misfortune.

1826. But how would you proceed in such a contingency?—It would be easy to see after the scheme had been working five years; I would then see if one race preponderated in any one class of appointments.

1827. Can you say that would not be likely by your scheme?—Certainly not any one race. I think perhaps three races I could name would preponderate at first, but every year would alter that. The inhabitants of the North-West would have an infinitely better chance than they would have had twenty years ago, and twenty years hence they will have an infinitely better chance than they have now. I do not think it is altering our liberal law.

1828. Is it not making it narrow? It says let any one come who is qualified, to whatever race he belongs?—I should prefer that law myself, but I see the danger of it; I won't say the existing danger, but the possible danger.

1829. And if that danger occurs you will think of altering it, but you are not prepared today to alter that law. Would you begin by altering that law, or wait until the necessity arises?—

Mr. *Nulkar*—contd.

I should be prepared to wait until the actual necessity arises, or until you saw the necessity for believing it was about to arise.

1830. You would not at once alter it?—I think not. I have no strong opinion on the subject, but I think not.

1831. As to the kind of Natives secured in the Covenanted Service by the existing system of recruitment in England. Under your system the field would be widened from which to select candidates, because they would be examined in India; at present Natives are debarred from going to England, and in consequence the field of selection is limited; if your scheme was adopted, do you think the wider field would afford a better chance of securing the best men?—Yes.

1832. That so far as Natives are concerned the field is narrow?—It is limited.

1833. Then under your scheme better Natives are likely to be got, better candidates than are at present available under the examination restricted to England?—Yes.

1834. Better Civil Servants would be obtained by an examination of that kind?—Under the law of average, if you select from one hundred millions of people you will have a better chance than if you select from fifty millions.

1835. This is also one of the reasons why you would have a simultaneous examination in India?—Yes.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

1836. You said that two or three, say three, races would go in for these Covenanted appointments, if your scheme was carried out?—No, I doubt if they would all go in.

1837. At present?—At present. I hope they would all go in. I said some three races would be likely at present to be more successful than others, possibly Bengalis, Natives of Madras and Maratha Brahmans. I am only speaking of the present state of education in India.

1838. By Bengali what do you mean?—Natives of Lower Bengal.

1839. Do you include cultivators; would you expect them to go in for these higher appointments?—I do not understand the meaning of the question.

1840. I am now asking you which of the three races would go in largely for these Covenanted appointments?—The state of education in Bengal and in Madras, as far as I have seen (if limited to Madras and the immediate neighbourhood), in Bombay and in Poona, is certainly in advance of the state of education in the North-West Provinces, Punjab or Sind.

The *President.*

1841. You mean educated Bengalis?—I mean that the state of education being higher in those Provinces, it may probably be that a larger number of candidates will succeed from those Provinces than from less educated ones; probably of all classes. I am speaking of educated Natives now.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

1842. Do you mean to say that the high caste Marathas of Tanjore have received a high education?—I fail to follow you. I do not know anything about Tanjore, but the class of Marathas in

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur—contd.

Bombay is certainly very advanced, very educated and very clever.

1843. These educated, forward classes, who receive high education, what is their proportion to the whole population of India?—I do not know.

1844. Can you guess?—No.

1845. One-half, one-third, one-fiftieth; what do you take the whole population to be?—You must tell me the standard.

1846. Would they form the majority or the minority?—Of course, they form the minority.

1847. You would not advocate the admission of any one into the higher ranks without high education?—You must also maintain the standard of qualification.

1848. What proportion to the total population of India do those Natives who receive University degrees bear?—A very small minority among any nation.

1849. Are you speaking of India as a nation in the same sense as France is a nation?—I was not aware I was speaking of India as a nation in any sense.

1850. When you speak of the Natives of India, do you use the phrase in the same sense that you speak of Englishmen, Frenchmen or Japanese?—I cannot follow the question.

1851. Speaking of India's diverse nationalities?—Is that a relevant question?

The *President.*

1852. There is no harm in answering it?—I have no special opinion on the subject; I do not consider India is united as England is united.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

1853. Are the people in India united in the same sense as the English or French are united?—Not at the present moment.

1854. In what do they differ then from other nations?—Really, Sir, I thought I had come here to give evidence as to the Civil Service in some way. I am not prepared to answer race questions.

The *President.*

1855. What the Kazi Saheb means is clear. If you believe India is not a united nation, it is easy for you to say so?—I have said so already, that I do not believe it to be so.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

1856. Would you exclude the millions of India and admit only from classes which form a small minority of the population?—Certainly not, if they were taken from any one class; but I hope and expect they would be taken from all classes.

1857. At the start or hereafter?—As I said originally, perhaps from those three races. I think I am addressing a Mahomedan gentleman now?

1858. Yes, I have the honor to be a Mahomedan gentleman?—I have had the pleasure to appoint several Mahomedan candidates, and have no reason to think they would be behindhand.

1859. There are races in India like Mahomedans, Rajputs?—Rajputs are probably behindhand.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur—contd.

1860. Most of the people of India, with the exception of this small minority you have mentioned, have commenced primary education only now?—I am not prepared to admit that.

1861. With regard to these two examinations that you are speaking of, one to be held in India and one in England, do you not think that scheme would practically be a disadvantage to Englishmen?—No.

1862. Do you think English candidates would come out to compete in India?—I am for holding an examination in England simultaneously.

1863. Do you think Englishmen would come out to compete in India?—Not unless they were sons of officials in India; if so, they presumably would come. They often come out at a younger age.

1864. Would you get them to come out in larger numbers to compete in India with Natives?—Not in large numbers; I do not say a good many would come. It is a matter in which I am wholly indifferent whether they come here as candidates, or present themselves at the examination in England.

1865. Are you not aware that there is a growing desire every day on the part of Natives to visit England?—No, I am not aware of that.

1866. Referring to the holding of simultaneous examinations in India and in England you mentioned the Gilchrist scholarship; are you aware whether the Gilchrist examination has been successful, and whether a sufficient number of candidates compete for it or not?—I have heard that latterly there has not been a sufficient number of candidates for it. I merely gave this as an instance of the possibility of holding such an examination; whether the terms offered are sufficient to attract candidates is different.

Mr. *Stokes.*

1867. Does the London University hold an examination for candidates in India?—Yes.

Mr. *Stewart.*

1868. And the candidates are placed according to merit on the list?—Yes, what happens now is that the examinations are really and practically competitive. I am speaking of the London University Examination; candidates are placed in the order of merit, and the first five or six get special scholarships or rewards of different kinds.

1869. Have many candidates availed themselves of the opportunity?—I am not aware. I remember in the Madras Presidency seeing an advertisement saying the examination would be held in November, I think.

1870. I have never heard of any men presenting themselves for it in this country?—I think they did once at Calcutta.

1871. The examinations are also held in Australia and other places, are they not?—Oh yes, in all the Colonies.

Mr. *Stokes.*

1872. If you had all the appointments in the Subordinate Service filled up by competition, as open as possible as you advocate, would you not run a great danger of depriving Government

Mr. *Stokes*—contd.

of the power it derives from its patronage? People now look to Government for reward by getting appointments. Deserving servants expect their sons to be looked after. It gives a good deal of power and makes men look up to Government. Do you think it would be better to give away that patronage for the purpose of throwing open the service?—Politically, I think it would be worth while.

Mr. *Peacock.*

1873. With regard to raising the limit of age from nineteen to twenty-three, do you think that with that increase the Natives would have a fair chance of getting a reasonable number of appointments?—Yes, as they had before.

1874. When the limit was higher, before it was reduced to nineteen you say, as I understand you, that Natives got a much larger share of appointments than they do now?—Yes, it is now seventeen to nineteen. They had a larger share, not as large a share as I think will be necessary in future; at all events they had some share, while in the past years only two men passed, so that they have now had really no appointments.

1875. You think the age is keeping them out?—I take the opinions of the Native Press on that point. They say that owing to Native customs it is impossible to educate a man at that age.

1876. Do you think that the existing system of education in the high schools in India is a kind of training that gives an Indian boy a reasonable chance of passing such a competitive examination as that which you contemplate being held in India and in England?—Yes, if you increase the limit of age. I am supposing that in England or India he would have two or three years in which to work especially for this examination.

1877. In the event of a Native boy going to England do you think he could compete successfully without any further training or preparation there?—Yes, undoubtedly, if you took the ablest of the candidates here.

The Hon'ble Mr. *Quinton.*

1878. How long is it since the age was changed?—I am not sure really. I think I can find out.

1879. Do you think education has advanced so much within the last few years that greater numbers of Natives would get in now?—Yes, I think it has advanced considerably; the standard has advanced much higher.

1880. At a greater rate of progress than English education has advanced in the same period?—Yes, because there was far more room for it. English education was as perfect thirty years ago as now, whereas Native education has much improved since that time.

1881. Then it is your opinion that if your scheme be adopted, the number of successful Native candidates will probably increase?—Yes.

1882. The bulk of successful candidates would be European?—As it is now I presume.

1883. Do you think that the bulk would be Europeans and that a limited number of Natives only would get in?—I find the proportion of Natives has never been more than one-twentieth; the highest I can find is two in forty, that is one in twenty; but I admit the possibility of error; it has never been above one-sixteenth, and therefore I see no reason to suppose that under my scheme it would suddenly leap up to some higher proportion.

The Hon'ble Mr. *Quinton*—contd.

1884. You say increasing the age to twenty-three might enable a few more Native candidates to succeed. Do you say more than one in twenty never would succeed under the most favorable circumstances?—They have never had my scheme tried.

1885. Your scheme makes no alteration in the examination in England. You put candidates on exactly the same footing as now?—If you allow Natives to go up in India, as I advocate, a greater number will compete, and out of that you will get ten or twelve every year certainly.

1886. Do you think you will get ten or twelve Natives such as go up for the B.A. Examination in India?—Oh yes, abler. The Natives who now compete in England are few. We have never yet got more than three or four to pass, but certainly I think before long you will have ten or twelve passing.

1887. What is the average number of appointments now?—About forty.

1888. Yes, thirty-eight. Do you think an open competitive examination is the best means of securing men for high employment in India, irrespective of races?—Yes, absolutely.

1889. You think it is an equally good test for Englishmen ruling over Indians as for Indians ruling over Englishmen?—Yes, it is a moral as well as an intellectual test.

1890. It is an equally good moral test as between the Natives of India and the Natives of England?—Yes, I hold it is.

1891. You hold that there is a presumption in favor of a Native, an Indian candidate, who passes higher in the list being superior in moral qualities to Englishmen who pass lower down?—That there is that presumption.

1892. It has been held that competitive examinations do not test moral qualities?—I never asserted that; it is not my opinion. It seems to have been commonly held in this discussion, and it is a proposition I wish to combat in every possible way.

1893. Did you hold charge of a district before joining the Financial Department?—Yes.

1894. In your scheme you draw the line as low as Tahsildars?—No, I am not prepared to say that; I was rather forced to say it.

1895. How would you appoint Tahsildars?—I would appoint Tahsildars by competitive examination, the same as every one else.

1896. You think that examination would get you the men best suited?—Yes, certainly, on the whole; of course, you must have exceptions.

1897. You would make it Provincial?—Oh yes, certainly.

Sir *Charles Turner.*

1898. Do you say you would have a Provincial examination for Tahsildars?—I do not like to answer for a particular class, but for the service in which they might be included I would have it.

The Hon'ble Mr. *Quinton.*

1899. You have had experience in executive work, and you believe you would get a better class of Tahsildars by provincial competitive examination?—Yes.

The Hon'ble Mr. *Quinton*—contd.

1900. How would you appoint Deputy Collectors?—The upper grades of Deputy Collectors would have to go into the upper service. I do not know that I would have such persons as Deputy Collectors at all. They would be the same as Joint Magistrates, and Joint Magistrates the same as Deputy Collectors.

1901. Where would you draw your line? You must have a class which discharges the functions now discharged by Deputy Collectors?—No, not separately, only the same as Joint Magistrates now discharge them.

1902. Officers discharge those functions at present who are paid Rs. 250 a month?—Yes.

1903. Rs. 200 or Rs. 300 up to Rs. 800?—Yes.

1904. The duty discharged by officers on pay between Rs. 250 and Rs. 800, under your scheme must be discharged by some one; would they fall into your lower grade or the higher?—It is not necessary to go into details. You would first have to fix the pay at which men of the upper service would be disposed to begin work.

1905. You have not thought it out?—I have thought about it. I say Rs. 300 roughly, to begin on.

The *President.*

1906. You said Rs. 500 before; now you reduce it to Rs. 300?—No, I spoke of Rs. 500 as the salary you might expect men to come out on, if Natives of England. You cannot pay too low; if you do, Englishmen will not come out and highly educated Natives will not commence on it.

1907. You allow officers on Rs. 250 or Rs. 300 to go into your upper service?—I think so.

1908. You propose to make that upper service open to competition to the whole of India?—Yes.

1909. Would you at present advocate the revocation of the rule of the Secretary of State that no person other than a Native of India should, without special sanction, be appointed to a post of which the salary exceeded Rs. 200 a month?—I would not allow any European, unless he returned to England to compete, to be appointed to any office in the lower service.

1910. But you would allow him to be appointed to the higher Covenanted Service?—Oh yes, certainly.

1911. Do you not think throwing open these appointments to competitive examination in England would result in large numbers of young men competing in England to the exclusion of Natives?—There are branches of the service reserved for Europeans. At present there is not a single European in the subordinate judiciary, and only two Europeans in the subordinate executive service.

1912. Under your scheme you would throw into the upper service the greater portion of the appointments now held by the higher executive and judicial services. If thrown open to competition at home might not the effect be to bring out a larger number of Europeans?—I do not think that would be the effect. I think you would have a very considerable proportion held by Natives.

1913. Might not that be one of the effects; I do not say it would be?—No.

The *President*—contd.

1914. Do you think it an advisable thing to have a larger proportion of Europeans than now in the subordinate judicial and executive services—I mean the revenue and judicial branch?—When you say subordinate, I am only talking of the upper Civil Service.

1915. Under your scheme there would be some Europeans?—I would never let an European hold an appointment below a certain grade or salary.

1916. You might have two hundred and fifty Europeans and two hundred Natives?—You would have to see that that did not occur, that the proportion of Natives was not seriously diminished in the whole service putting all together. You might then find it necessary to reserve certain appointments.

1917. Then the competition would not be open?—It would be open competition, but there would be certain appointments that could not be held by Europeans.

1918. Have you any idea as to the relative proportion of the population that take advantage of higher education in the different provinces; in the North-West, Punjab, Madras, Bombay and Bengal?—Hitherto to the best of my knowledge it has been taken advantage of in Lower Bengal and Madras to a greater extent than here.

1919. How do the North-West Provinces stand now?—The North-West is going up by leaps and bounds; they are turning out M.A.'s at the rate of seven or eight a year. A few years ago a M.A. was quite exceptional.

1920. Do you think the M.A.'s of the North-West likely to succeed in competition against the same class of other Provinces?—I think the best of them would.

Mr. *Crosthwaite.*

1921. You have been Accountant-General of the North-West for some time?—Yes.

1922. Have you any idea of the number of M.A.'s employed as Tahsildars and Deputy Collectors?—It is a very small proportion.

Sir *Charles Turner.*

1923. The revenue administration is carried on very largely with the assistance of Mahomedans?—Yes, in these Provinces.

1924. Even to the extent of more than one-half?—Certainly, I should say so.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

1925. If these appointments were made through open competition, do you think the number would be as large as now?—Not in those appointments, no.

Sir *Charles Turner.*

1926. In these Provinces, the management of the land revenue was largely, I presume, in the hands of the Mahomedan authorities when the Provinces came under British administration?—Yes.

1927. Have you, as an executive officer, found Mahomedans generally experienced in the collection of revenue?—Yes, as a rule.

1928. And active and energetic?—Yes, as a rule.

1929. If we may compare race with race, which have you found more energetic, Mahomedans or Hindus?—Are you speaking of Tahsildars?

Sir *Charles Turner*—contd.

1930. Yes, of Tahsildars?—I think the really good Hindu Tahsildar is the best man you can get, but the average of Mahomedan Tahsildars is better than the average of Hindu Tahsildars.

1931. Under your system of competition you could not ensure obtaining a majority of Mahomedan Tahsildars?—I think that Mahomedans would learn to go up for their competitive examination as much as anybody else. I have no reason to believe from experience they would be intellectually inferior and would therefore fail.

1932. Do you not think the examinations for Tahsildary appointments would be better if made by districts?—No, because you would very often have no eligible candidates at all in one district.

1933. An ordinary revenue district contains about one million people?—Yes.

1934. Do you think it advisable for administrative purposes to hold some examination for Tahsildary appointments within a more restricted area than that of the whole of the territories under the administration?—If for the lower service generally, you could not restrict it to the territories under one administration. You do not want such a restriction for judicial officers, or any offices of that kind.

1935. I understood you to say you would remove Munsiffs from the lower branch of the service in your proposals?—I think I would do so. I do not wish to give evidence as to judicial matters as I have had little to do with them for many years; but it seems to me they should belong to the upper, not to the lower branch.

1936. You expressed your dissatisfaction with the system of selecting professional men for appointment to judicial office?—No, I did not say that I was personally dissatisfied.

1937. I thought you said you preferred the system of France and Germany?—Yes, because I prefer the system by which all men enter there by competition at a young age.

1938. Do you know if the systems of France and Germany are identical?—As far as I know, in important particulars they are so.

1939. And in the way they select their Judges?—As far as I know. I have learned this by speaking to young officers. I have spoken to German students expecting to enter the judicial branch, from whom I gathered that there is a regular organized service from which they are afterwards selected.

1940. Is the entrance to the services either in France or Germany by competition?—I think not. But I may say that certainly in Germany it is practically by competition. I do not know how they get their first appointments; it may be by nomination, but they undergo a course of examination. The men who pass high are the men who get the higher judicial appointments.

1941. Are you aware that there is so much difference between the French and German systems that one great cause of dissatisfaction by the inhabitants of Alsace to its annexation by Germans was the difference in the judicial procedure?—No, I do not know of the objection having been made.

1942. Have you ever been yourself engaged in litigation in either French or German Courts?—No, as a matter of fact, I have not.

Sir *Charles Turner*—contd.

1943. Have you ever attended trials in the Courts of France or Germany?—No. I have been in French Courts of Justice. I am not familiar with the subject.

1944. You express yourself dissatisfied with the system of appointment to the judicial bench obtaining in British India and express a preference for the French and German systems?—I do not think I approved specially of the French or German system. I merely cited them as having different methods of selection.

1945. I gathered from your reference to those countries that you had a preference for the systems obtaining there?—You are aware that in America the system is not the same?—Yes.

Mr. *Stokes*.

1946. Many are elective appointments?—Yes, I believe a Judge can go back from the Bench to the Bar.

Sir *Charles Turner*.

1947. Can you say with regard to France if the minor appointments in the public service are filled by competition?—I do not think they are ever filled in the sense of holding open competitions; they take men from colleges.

1948. Are the *préfets* appointed from the service?—I think not: they are held to be beyond the regular line of the service.

1949. And the Maires?—Really I am not prepared to give evidence on that point, but I think they are elected so far as I know.

1950. At what age would you select your candidates?—For the upper Civil Service I have mentioned seventeen to twenty-three.

1951. Then you would hold one general examination to test the general knowledge of all who present themselves up to the age of twenty-three?—Up to twenty-three and not less than seventeen.

1952. After that you would have special training for men requiring technical knowledge?—Yes.

1953. That would embrace a period of three years?—I do not know that I am prepared to enlarge the time from the present period of two to three years; I merely mentioned three years as the time a candidate should spend in England. In that case he would have to spend three years between his open competition and final examination if he was examined in India, but if he went to England he might have only two years between competition and final examination.

1954. You propose that after an examination in general subjects a candidate may select a particular department for which he may require special training? For instance, the Forest Department: that would require some training?—As at present.

1955. How long would it be before a man became an efficient Forester?—Two years is the present period.

1956. And for the Bench?—Hitherto the Bench has been selected from the ordinary Civil Service of the country. I do not propose to have a separate Judicial Bench at all.

1957. I understood you to allow that when a candidate who was successful in the open competition elected employment in a department of the public service, in which technical knowledge was

Sir *Charles Turner*—contd.

requisite for efficiency, he should receive it. Would any special training be required for the holders of Civil Service appointments drawing salaries from Rs. 200 to Rs. 400 ?—I would certainly train some men for the Civil Service.

1958. Would not this entail an enormous expense on the country, this system of training men after you obtain them ?—It was not so in my time. It may be so now. They are trained for two years.

1959. I am now referring to the scheme you propose for a competitive examination for all India ?—They would only bear the same proportion to the number of appointments.

The *President.*

1960. It would cost more to train four hundred than fifty ?—Of course.

Sir *Charles Turner.*

1961. In your judgment the work of an appellate Court is easier than that of a Court of first instance. Do I understand you to mean it requires less experience ?—I do not mean all appellate Courts. I would rather speak of particular Courts. I have had experience of Subordinate Judges' Courts in this Province and District Judges' Courts.

1962. Take the Subordinate Judge's Court. Do you think a Subordinate Judge as an appellate Judge requires less experience than the Judge of a Court of first instance ?—I do not say less experience.

1963. Does he require less technical knowledge ?—What I mean to express is that it seems to me that in many respects the work of a District Judge is easier than that of a Subordinate Judge.

1964. If you mean by easier, less labor, possibly I might agree with you. Is it in the sense of requiring less experience or less knowledge you mean ?—You have put it in a false position, as a Subordinate Judge has both appellate and original work.

1965. I am now speaking only of a Subordinate Judge as an appellate Judge. Do you think appellate Courts need possess less qualifications than Courts of first instance ?—No, because each must have an intimate knowledge of law if you wish to have the best men possible. In the appellate Court the record is presented to the Judge in which the facts are clearly placed before him. If he is a man of ordinary intelligence, he can see that and form a reasonable judgment. In India the lower Court has to sit and hear the evidence, to find out for itself the facts, to frame the issues and write its own judgment.

1966. If the lower Court has not made a complete inquiry has not the appellate Court to remedy the defect, for instance to frame additional issues ?—Yes.

1967. Has an appellate Court not to exercise the same functions as a Court of first instance in certain cases ?—Yes, but it has not to hear witnesses.

1968. If that were so, does not the absence of witnesses increase the difficulty of forming a correct estimate of the value of their testimony ?—Yes, certainly. I do not mean to press the point, but it seems to me there are many difficulties in the work of an original Court which there are not in that of an appellate Court.

1969. Am I to understand you to say now that it requires less knowledge or experience to discharge the duties of a Court of first instance than of an appellate Court ?—No, I would rather put it in this way, that in India more difficulties are in the way of the original Court.

1970. Is it not your opinion that some men develop a special aptitude for special subjects ?—Certainly.

1971. Would you therefore allow a man to choose at twenty-three what he wished to be ?—It is so in all civilized countries ; he decides what he will be at twenty-three.

1972. And have not some men in after-life shown a remarkable capacity for studies which they have not taken up in their youth ?—Yes.

1973. Have not some members of the Covenanted Civil Service been regarded as distinguished lawyers on the Indian Bench ?—They were men who had had a legal training in their youth.

1974. And do not some of the Covenanted Civilians show a greater capacity for law than others ?—Yes.

1975. And is it not desirable you should make your selection at a period when a man's peculiar bent of mind has been ascertained by actual experience ?—No.

1976. You would tie down every man to the official sphere which he may select at twenty-three, is it not better to postpone the selection to a later period ?—Not ordinarily.

1977. You have taken great pains in compiling a valuable work on the results of the competitive system for the Covenanted Service ; is it not apparent from your statistics that some men have fallen behind the place they achieved at the competition, and that others have come more to the front ?—Yes.

1978. Is it a fact that several men who stood low in the competition list have come very high in your figure of merit ?—Certainly.

1979. So that even if allowance is made for the good fortune of more rapid promotion under certain administrations, competition is shewn by the statements prepared by you to be not an absolute test of the relative merits of men ?—No, but if you ask me of the first twenty men in each year, the first ten men are certainly much superior to the last ten men.

1980. We find that only thirty of the more fortunate Civilians came out very high ?—You would find hardly any at the bottom of the list. I do not think that you will find any that passed extremely low in any of the longer examinations.

1981. Well, the 22nd of one year beat a great many who stood higher than himself in that and other years ?—Yes.

1982. Do you know of any civilized country in the world that prevents a free selection of the best men for the highest administrative posts in the State ?—No, because I do not know of any Government that I consider conducted on *efficient* principles.

1983. Do you know any civilized Government which is precluded from filling high administrative offices, such as permanent Under Secretaries of State, by a free selection ?—In England, where the close Civil Service system has been adopted, it does not extend beyond a certain grade, but men in the highest posts in that service no doubt are in the running for such appointments.

1984. Does not the Government in England consider, when making highly responsible

Sir *Charles Turner*—contd.

appointments, whether a gentleman already in the public service is better than any man that can be found among the general public?—Yes, it has been so.

1985. Do you not think it would greatly add to the efficiency of the Civil Service of this country if there were a point beyond which promotion should not be secured by mere seniority?—Certainly.

1986. And that thereafter there should be promotion by selection?—Yes, but not in the sense in which it is done in England. Promotion should be entirely by selection beyond a point I am inclined to think very low in our service.

1987. If your scheme were adopted, there would be a time when you would have selection?—Certainly.

The *President.*

1988. You have been dealing only with admission to the service at present?—Yes, not promotion in it.

Sir *Charles Turner.*

1989. You allow selection inside your service; you allow no selection outside of it even for high posts. Should not the object of all systems of appointing to the Civil Service be to obtain the most efficient administrators for the public service?—And you cannot do that so long as you allow nominations by interest.

1990. But to secure the object I have mentioned, is it not necessary to allow any Government a free hand when you come to appointments involving serious responsibility?—Not a free hand when you go outside of your own Civil Service.

1991. Do you not think the regard of the Government making the appointment for its own reputation would make it especially careful?—Yes, it made its selection from the Civil Service.

The *President.*

1992. Why do you propose to impose restrictions in regard to the admission of certain classes of Natives and of Englishmen? Would not the result of imposing restrictions be that you would be compelled to take men of inferior qualifications?—Yes.

1993. And that would be a departure from the scheme for open competition?—Yes. I do not feel sure that it ever would be necessary, but I think it is possible that it might be necessary.

1994. Then coming to examinations in India, would there not be a danger of pressure being brought to alter the examination in India and make it less of an English examination? Supposing pressure was brought you would not yield to it?—Not in the least.

1995. Then with regard to sending candidates to England, do you think it desirable on the part of Government to compel Natives to go to England, against their convictions, on pain of forfeiting their appointments?—I think it is the same as recruiting a soldier for the ranks, "if you do not come up to the standard we reject you." We should say to the Natives we recruit, "Yes, provided you are competent, we should like to have you; but that is now impossible." That would not exclude them from high appointments, as the whole of the Uncovenanted Service would be left open.

The *President*—contd.

1996. Is it desirable that Government should take up the position of requiring a Native to abandon that share in the administration to which his ability entitles him, or of giving up his religious convictions?—Yes, because you give the nation, as a whole, so much more in return for it.

1997. The results of the later examinations as compared with the earlier, you would attribute to rapid strides in education. Could they not be attributed to other causes?—I am speaking of the views of the Natives after the rules were altered as to the maximum of age.

1998. In the early years of competition there were a few that went home, a very few. In what years?—The first examination was held in 1856.

1999. For the first seven years no Native passed into the service?—No.

2000. By competition?—No.

2001. Have you any idea of the reason for that? Were there any special causes?—Because they had not been trained to look forward to such examination. It took seven years to bring forward men sufficiently trained to do so.

2002. Men did not go to England in the same numbers as now, did they?—No.

2003. Was communication as quick?—No.

2004. Were expenses greater than now?—Certainly. I myself know a Native candidate who would certainly have passed in 1861 when I was going up for the examination, but the limit of age was altered two months before he went up, and he was disqualified. He was a Parsi and would easily have passed.

Mr *Ryland.*

2005. You advocate examination in one district only? And you also place a high value upon moral and other qualifications obtainable only in England. Why do you think it necessary to remove the disadvantage on the score of a Native going to England, instead of securing the higher guarantee offered by their overcoming their prejudice against going to England to compete? You lay a great deal of stress on a Native going from one Province to another to compete. Do you not think then it is more highly desirable they should overcome their prejudice altogether and go to England to compete?—No, because it is a different thing to make a man undergo a difficult task before you give him anything, to what it is afterwards. When he has secured an appointment he is perhaps willing to go to England and his father may be willing to pay the money for him, but he is not willing to do so before he is appointed. A day's journey from any part of India, to say Allahabad or Nagpur, as the point of examination, would not be a serious obstacle.

2006. You say a person wishing to go to England to compete is deterred by the chance of failure. Does that objection apply to the sons of domiciled Europeans?—Certainly.

2007. You say it would be a serious misfortune if any one class predominated over another, and that there should be rules to prevent this?—I do not think I said "serious misfortune." I think I said it might become a misfortune.

Mr. *Ryland*—contd.

2008. You meant that to apply generally both as regards Natives and Europeans, one race predominating over another?—It would be an equal misfortune if the whole service was filled with Natives and we had no Europeans.

2009. Do you mean it in the sense that if we had the whole Civil Service filled with Natives including domiciled Europeans, and no undomiciled Europeans?—There will always no doubt be a larger proportion of Europeans than there is now.

2010. You mean that remark generally?—As regards any race, yes.

Mr. *Nulkar.*

2011. As regards the position that Government would be taking if they compelled passed candidates to go to England; as matters now stand, do you not think that Government imposes this condition practically in a most severe manner, in that under the present system it compels every candidate to go there for a mere chance?—Yes.

2012. Under the new system a man would be compelled to go for a certainty?—Yes, after he had passed.

2013. Comparatively a great advantage: under the present system there is no certainty?—No.

2014. The position Government would be taking up would be a juster one than the present position?—Certainly.

2015. Government would not be taking up a more unfavorable position than it does now?—Certainly not.

2016. It would be an advance towards justice to the Natives of India?—I think so.

The *President.*

2017. Now as to pay and furlough rules. Of course under your scheme no distinction would be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches?—No. There should be a difference as long as the Statutory Civil Service exists.

2018. If an Uncovenanted man were put into a Covenanted post, would you then have a distinction?—Not unless you find the man selected for proved merit and ability.

2019. Suppose a man was put in under the Statute?—Yes, if he had not obtained his appointment in England, I would give him merely the rates of pay adapted to Natives of India, whether European or Native, if appointed out here.

2020. On what principle would you make that distinction? First in the case of the Statutory; secondly, in the case of the Uncovenanted man?—Because they are appointed out here, not in England. They should be put on the lower rates. Perhaps I may instance, as an example, the French administration in Touquin, where all men have fixed salaries allotted them, but the men selected from France get pay in the shape of a personal allowance.

2021. Would you adopt that system?—No, because you would require to have a service selected here and in England and holding the same posts, which I do not advocate.

2022. Would you make any distinction in the furlough rules?—In the Statutory Service I certainly would.

The *President*—contd.

2023. Suppose things remain as now, would you make a distinction in the furlough rules?—I would apply to persons nominated in India the present furlough or what are known as the less favorable rules.

2024. Looking to the general privileges of the Covenanted Civil Service in regard to pay and promotion, retiring annuities and conditions of office, would you say they were suitable to Natives appointed under the Statutory Rules?—No, because every one should have to go to England and submit to a training of three years before he began to hold the lowest appointment.

Mr. *Ryland.*

2025. Thus, no matter how many Natives were appointed under your scheme, you would give no advantage to the European? No, probably not.

2026. You say you would not make leave and furlough rules more favorable to persons appointed in this country, that is, the branch of the service that must be appointed by competition in India?—They would all have to go home to England, and they would all have what we call now the Covenanted Rules.

2027. Then those Rules would apply to all?—To what I call the upper Covenanted Service.

Mr. *Ramaswami Mudaliyar.*

2028. I am not quite able to understand your reason for saying there should be a difference in the pay. If your scheme is adopted you say that the pay would be the same whether the post is held by a Native or by a European?—Of those appointed from England.

2029. And of course your reason for suggesting that men who pass the examination should be sent to England is to make them efficient?—Yes.

2030. If a man is appointed from the Uncovenanted ranks to a District Magistrate's place it would be because he has shown ability and merit?—Yes.

2031. Then, why would you give him less pay? The Statute says men of special merit and ability shall be appointed?—Theoretically he is appointed only for merit.

2032. Supposing a man taken from the Uncovenanted ranks and appointed at once a District Judge as a man of exceptional merit would you give him lower pay than Covenanted servants?—Yes, if he had never been to England. Going to England would give him an advantage and a training he could not get in India and render him more manly. It would give him more moral courage. All these things tend to efficiency. You may promote a man for mere intellectual qualities without moral qualities. I would give him a lower salary, because hitherto the appointments have been held by Englishmen who required higher pay to induce them to come to the country. If you do not require Englishmen you need not give high pay at all.

2033. Do you say that if your scheme is adopted you would lower the scale of pay throughout?—No, not at all.

2034. You say the present scale is fixed with reference to Europeans?—Yes, as long as it is necessary that Europeans should hold any of these appointments, it is necessary to maintain the present rate of pay.

Mr. *Ramaswami Mudaliyar*—contd.

2035. According to your scheme it will be the same for Europeans or Natives of India?—Yes: If a Native has entered by open competition the upper Civil Service, I would make no race distinction at all. I would have nothing to do with a man's race: I would only see he had passed the examination.

2036. If he had equal ability why would you pay him less?—Because if he had never been to England, you could not have the same guarantee of courage, freedom from local prejudice. If you take the Statutory Native of India who has never been out of India at all, he will have a lot of local prejudice which he will never get rid of.

2037. Supposing you found a man who is competent to be appointed a District Judge, possessing all those qualities, why would you not pay him the same as a man brought up in England?—Because you have not had to tempt him out from England. That is one chief reason.

2038. That would apply to your own scheme?—According to my scheme, you will have to get Natives from England. They will have gone home for three years and you will have to tempt them out again. That is one reason why as long as Europeans are necessary for the service. I did not say such a Native ought to get less. During the interval of ten years, whether an Uncovenanted man or a Native who has not passed the competitive examination in England is appointed to the posts now held by Civilians, I would only pay him as we pay a Statutory Civilian.

Mr. *Ramaswami Mudaliyar*—contd.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

2039. Is that your only reason, viz., that a man has not come in by the same way?—Yes.

2040. Would you retain the same rules for furlough for Natives as for Europeans?—I would have no difference of any kind or sort if they had passed the competition.

2041. Would you not re-organize your service according to the requirements of Government. A Native would not require the same furlough allowance?—I would like to tempt Natives to go back to England after they had been out here ten years. Any slight administrative inconvenience would be entirely outweighed by treating these men on an equality. You must not make any difference when once they are appointed.

Mr. *White*.

2042. As you give a good deal of consideration to this question, will you also take into consideration the establishment of colleges in this country into which candidates intended for the higher service might be nominated and thence pass out?—I am entirely against any such proposal.

WITNESS XXV.—*4th January, 1887.*

Maulvi *Samiullah Khan.*

Examination of Maulvi SAMIULLAH KHAN, of the Uncovenanted Service.

Sir *Charles Turner.*

2043. You were formerly a pleader of the High Court of these Provinces?—Yes.

2044. Then you were appointed directly a Subordinate Judge?—Yes.

2045. Of the first grade?—Second grade at first and then afterwards promoted into the first.

2046. You were then selected to accompany Lord Northbrook to Egypt?—Yes, I was. When I came back from Egypt I was posted to Rai Bareli District as Officiating District Judge.

The *President.*

2047. Is the present system of nominations to the Statutory Civil Service approved?—It is approved as far as the mode of selecion is concerned, but in other respects it is not approved.

2048. Is the disapproval general or is it limited to certain classes of the community?—Those persons whose opinions have any weight do not approve of the system.

2049. What are the grounds of disapproval?—Because the pay is lower than that for Covenanted officers. They have shorter periods of leave. Their amount of pension is also reduced. All these conditions tend to lower the status of Statutory Civilians among the public as compared with that of Covenanted officers. Their circumstances also, such as their treatment by their superior and other officers of the same standing, induce the public to regard them as belonging to a lower service than the Uncovenanted Service.

2050. Is there any dissatisfaction felt with regard to the provisions of the Statute?—The provisions of the Statute are so liberal that no objection is raised against them, but the objections are directed mainly against the rules framed under the Statute.

2051. Would you not widen the definition of "Native of India"?—I should desire that the words "pure Indians" were substituted for the definition "Native of India" in the Statute.

2052. You are aware that subjects of the Maharajah of Gwalior and of adjoining Native States in India are excluded. Would you include them?—I understand that the meaning of the Statute is not to include the subjects of Native States, and I would not include them in the definition "Native of India."

2053. How would you amend the rules so as to avoid the objection that you have taken?—The proposals which I suggest and which would minimise the objections are that, in the first place, the pay and pensions should be the same as for Covenanted Civilians. The leave rules should also be the same as for Covenanted Civilians.

2054. But you would retain the present system of nomination?—It is absolutely necessary that the system of nomination should be retained.

2055. Does the present system secure men who are superior to men employed in the highest posts in the Uncovenanted Service?—I am not in a position to state that the nominations which have hitherto been made are such as have secured men who are equal to the Indian Uncovenanted Service and who have had experience.

The *President*—contd.

Sir *Charles Turner.*

2056. At present there has hardly been sufficient time to form a judgment?—No.

The *President.*

2057. Has the system of selection succeeded in securing the services of men who are superior to the men who occupy high positions in the Uncovenanted Service?—No.

2058. In making your nominations on what system would you proceed? To what class would you give preference?—I would leave the nominations entirely to the choice of Government, and Government should nominate from amongst such persons as belong to the upper and middle classes, men who could be called gentlemen.

2059. Would you dispense with all educational qualifications on the part of these gentlemen?—I would impose generally a condition that they should have at least passed the F. A. Examination of an Indian University; I would not, however, universally insist ont his qualification. It would be in some cases difficult if the candidates have not passed any examination or been in private study and have reached such a standard as would qualify them for the examination I have mentioned.

2060. Would you compel candidates after nomination to proceed to England to study?—It is very necessary that after nomination the selected candidates should be sent to England for about three years to study at some University.

2061. Would you compel them to go?—Yes.

2062. You have, I believe, sent your sons to England to study?—I have sent one, and perhaps I will send the other.

2063. Would you give any facilities to the nominees for visiting England by payment of passage money or by scholarships?—Government should pay their passage money as well as give them some allowance, such as would cover their expenses at an English University, for which purpose I think a sum of Rs. 3,000 would be required annually for each nominee during the three years.

2064. Rs. 9,000 altogether for three years?—Yes.

Mr. *Stokes.*

2065. Does that include passage money?—No; passage money must be paid in addition to Rs. 3,000. I mean £300 a year.

Mr. *White.*

2066. What do you mean by the word "pure Indians"?—By pure Indians I mean those that are of Indian parents, born in India and have always resided in this country.

Mr. *Ryland.*

2067. You mean Asiatics with respect to race?—Yes.

Mr. *Ramaswami Mudaliyar.*

2068. Would you select your Statutory Service young men from men who have proved their merit and ability in the Uncovenanted Service or in the practice of a profession?—I would select from all classes.

2069. Supposing a man is selected from the Uncovenanted Service or professional class, would you compel him to go to England?—Not in their case. I shall presently state who, in my opinion, should be exempted.

Mr. *Nulkar.*

2070. What would be your definition of "pure Indian"?—All that stay here.

2071. Does that include the domiciled Europeans?—I would not include them. I would treat them as foreigners.

2072. Supposing they had no idea of going to England and their families had resided in India for five generations?—They are not Indians within my meaning.

2073. Are you aware that at one time they belonged to the Aryan race to which we belonged?—Those who have been living in India for one or two generations only cannot be said to be permanently residing in the country.

2074. When can they be said to be residents or Natives of the country; after how many generations?—When they cease to be called Europeans they become Indians.

2075. All of us are Aryans who came originally from the north. Are not the Hindus and Europeans considered to be Aryans, belonging to the same race? Is there not a community of blood?—As far as I understand, the Hindus and Mahomedans are the only two nations living in India who can be properly called Natives of India.

2076. Parsis?—They are Hindus.

Sir *Charles Turner.*

2077. They are not Hindus in race or religion?—No.

Mr. *Nulkar.*

2078. As regards the rules you would have no alteration with the exception of those you have mentioned. Would you retain the proportion one in six of the places reserved for the Covenanted Civil Service?—I would have fifty per cent. instead of one in six.

2079. Half the appointments should go to the Statutory Service?—Yes.

Mr. *Stewart.*

2080. I cannot reconcile your definition of Native with your written answer to Question 69. You say a Native of India should not include any person born within the dominion of India of European descent not residing there but established for a temporary purpose only. What do you mean by pure descent? You say any person born within the dominions of Her Majesty of pure descent. Do you mean of pure Asiatic descent, of pure European descent, or what?—In my answer I said "pure Indian."

The *President.*

2081. What the Secretary of State calls pure Asiatic blood? Do you mean to insert the words "pure Asiatic descent" there?—It is in the original answer "pure Native descent."

The Hon'ble Mr. *Quinton.*

2082. In reply to the first question you stated the grounds for dissatisfaction with the Statutory Service, and amongst them you say the distinction in the treatment which Statutory officers and European officers receive at the hands of other officers. Can you state more specifically what that treatment is? In what way do other officers treat them differently to the way they treat Covenanted officers?—There are several instances in which European officers have not behaved in the same way to Statutory Civilians as they do to Covenanted Civilians.

2083. Officially, socially, or how?—Socially.

2084. They do not associate with them on terms of the same equality as with European officers, is that it?—Yes, that is what it is.

2085. You said just now that you considered half the appointments reserved for the Covenanted Service should be thrown open to Natives. On what principle do you fix the number at half?—In India Europeans and Natives have an equal right to service under the ruling power.

2086. You say there are two races?—Two races, Europeans and Indians, who have an equal right to service under Government, and there is no reason why they should not have an equal proportion.

2087. You think they should share equally the appointments in the Indian administration?—Yes.

The Hon'ble Mr. *Justice Mitter.*

2088. You would substitute for the present definition of Native "pure Indian descent," and you have explained that you mean thereby, for instance, Hindus and Mahomedans who have made India their home?—Yes.

2089. Would you not include under the definition that you propose to substitute, any other person, not a Mahomedan or Hindu, but who has made India his home—any person who is not a Hindu or Mahomedan or a Parsi who has made India his home?—I cannot understand.

The *President.*

2090. Do you consider it essential that a person should have made India his home in order that he should be deemed an Asiatic?—Yes, the term "Asiatic" should apply to him.

Sir *Charles Turner.*

2091. A good many inhabitants in India have African blood in their veins. What do you say about them?—I would not call them Indians.

Mr. *Crosthwaite.*

2092. Do you know of any gentlemen to whom appointments under the Statute have been offered by Government, who have refused to accept them?—Yes, I know one instance in which an appointment was offered but not accepted. It was not actually offered.

2093. On what grounds would you raise the pay of the appointments?—On the same ground as I would increase the number of appointments

Mr. *Crosthwaite*—contd.

I would make them equal, because they hold the same posts and have the same work to do, and it is asserted that Natives have equal rights and privileges with Europeans. Why then should there be any difference in pay?

2094. Do you think the rights of Europeans and Natives in the country ought to be equal?—There should be some difference between the conquerors and the conquered, but not so much after a century.

2095. Then you think that now the rights ought to be equal?—Yes.

2096. Why would you exclude Europeans from the privilege of entering the service under the Statute?—There are two distinct centres at which appointments to the public service are made, one is in India, the other is in England. Europeans have certain advantages in England which Natives of India do not possess. In India the rights of the Natives must be the same as those of Europeans in England, because, as far as India is concerned, both are on the same footing.

2097. Have you ever served in a district with a Statutory Civilian?—Yes, I am at present in such a district.

2098. Is this the only occasion on which you have served in the same district?—Yes, I have just been transferred to a district where there is a Statutory Civilian. I never before served in a district where a Statutory Civilian was. The opinions I have expressed were not based on my actual experience but on my knowledge of two of my acquaintances now holding Statutory posts.

2099. Your opinions were then formed not on personal observation but from hearsay?—I have heard it sufficiently often to constitute good evidence.

The President.

2100. Is any dissatisfaction felt with the existing system of recruiting for the Covenanted Service?—Yes.

2101. What are the objections?—That the limit of age is too low. The age should be raised to twenty-three; that would be better for both Natives and Europeans. The marks allotted to Arabic and Sanskrit should also be raised to the same standard as Latin and Greek. Persian should be added to the list of languages as it would be of benefit to Europeans and Natives alike.

2102. Are there any difficulties felt about Natives going to England?—Neither Hindus nor Mahomedans have any difficulty about going to England.

2103. Are there no classes of Hindus in these Provinces who encounter difficulties in going to England?—There are certain classes who object to go to England; at the same time certain members of my class go to England.

2104. Would you hold an examination simultaneously in India and in England?—No.

Mr. *Nulkar.*

2105. Are you not aware that the Persian language and literature are subjects in which candidates, after they are selected, have to pass? In addition to that you would add these to the list of subjects for the competitive examination?—Persian, which one can take up after having succeeded in the competitive examination, cannot be well studied in the limited period of two years, experience having shown that Civilians who come out to India after having studied Persian during these years cannot speak even two words of it, and therefore I would add it to the languages for the competitive examination.

Mr. *Nulkar*—contd.

The Hon'ble Mr. Justice *Mitter.*

2106. You say that if the examination was held in England, you are not in favor of holding a simultaneous identical examination in India. What is your reason for this?—There are very strong objections to holding it here which cannot be remedied.

2107. What are those objections?—The education in this country and in England is not of the same standard, and men cannot attain to the same social position.

2108. Any other?—It would be very difficult to frame a rule to make one list of the successful candidates at both examinations or to compare their marks. There may be some other reasons, but I am not prepared to state them now.

2109. What is the objection to adding up the marks? When there are two persons examined in different places, but by the same examiners, where is the difficulty in comparing their work?—The difficulty will be of this nature that in England they compare just after the examination, whereas it will be difficult to manage the same in India. The papers will have to be sent out here some time before the examination.

2110. Is that the only difficulty in this respect you can suggest?—I have already pointed out other difficulties; there are others of which I am not at present prepared to speak.

2111. One of your objections to an examination in India is that a residence in England would make a candidate acquainted with the manners and customs of England. Could that not be met by compelling candidates to go to England after examination, and to undergo a course of training there?—I am of opinion that they should be sent before any examination.

2112. Do you not think the objection could be met by that?—No.

2113. You officiated as District Judge?—Yes.

2114. Were you invested with any criminal powers?—No, I was a Civil Judge only.

Mr. *Crosthwaite.*

2115. In the course of your official duties do you come into contact with young English Civilians who come out?—Not in their official work.

Sir *Charles Turner.*

2116. I suppose your opinion is that the examination should be held after candidates have had English experience, in order to test whether they have benefited by that experience?—I am of opinion that after three years' residence in England they should be sent out to India after having gone through the same examination as other English Civilians.

2117. Do you not think that the holding of the examination at the end of their English training is better than holding it at the beginning, because it shows whether or not they have profited by their training?—Yes.

The Hon'ble Syad *Ahmed,* Khan Bahadur.

2118. A certain portion of the examination is conducted *vivâ voce* in England; if there were a simultaneous examination in India, would there be any difficulty in conducting it *vivâ voce*?—Yes, that would also be one of the difficulties.

The *President.*

2119. To come to the Uncovenanted Service, that is to say, Deputy Collectors, Tahsildars, Subordinate Judges and Munsiffs. From what class would you recruit these, from the Natives of India only or from other classes?—From Natives only.

2120. Would you exclude Europeans from the service? In Civil stations, such as Naini Tal, are there not a large number of Europeans; might it not be desirable to have an European in the Uncovenanted Service there?—It would be sufficient to have an officer who knows English.

2121. Would you recruit by competition, nomination or how?—In every case I would prefer the nomination system.

Sir *Charles Turner.*

2122. Why would you prefer a system by nomination? Will you state your reasons?—Competition is not a true test of people and their conditions.

2123. Have you ever considered whether a limited competition would be advisable? I mean a competition among gentlemen selected by the Government?—The officer who makes the selection has regard to all the conditions and circumstances, and he makes the best selection possible.

2124. Supposing there are four men whom the Government considered equally worthy of a post, how would you decide between the four men when all were thought equally good?—Conscience itself would point that out.

2125. But if your conscience failed you and all the men, so far as you were aware, were equal in every particular? If, for instance, conscience told you it was desirable to make a Mahomedan appointment and there were four Mahomedan gentlemen having an equal educational qualification and equally qualified as to position and manners, whom would you select?—If you have to consider it logically it would be almost impossible to have four persons quite equal to one another.

2126. Would it not be regarded as better to allow these men to show which was the best, intellectually of the four, rather than to select arbitrarily?—Political and social considerations are to be regarded. In competition the regard to social and political conditions is lost sight of.

2127. Then I understand this is your principle. Government is charged with the administration of the country; it should have a free hand in selecting the best agents it can find?—Yes.

The *President.*

2128. Have you any opinion as to the pay and furlough? Would you make any difference between a Covenanted Civilian and an Uncovenanted officer and a Statutory Civilian, when they are doing the same duties?—The pay should under all the circumstances be the same.

2129. Is the present pay of Rs. 200 a month on first appointment and Rs. 250 after examination sufficient?—Not sufficient.

2130. To begin with?—The first pay should be at least equal to that of a Deputy Collector, Rs. 250.

2131. Would you make any distinction in the furlough rules between European officers serving in this country and Natives serving here?—The principle on which leave is given is that it allows an officer to have rest after labor and to refresh his intellect and mind, and not because he has to go a long distance. Under these circumstances the furlough rules should be the same for all officers.

Sir *Charles Turner.*

2132. You have a son resident in this station?—Yes.

2133. Your son has received an English education?—Yes.

2134. Can you tell me what it costs him to live in India?—Not less than Rs. 400 a month.

2135. And the money is allowed him by you?—Yes, at present I am obliged altogether to support him.

2136. Do you consider that amount is the smallest he can reasonably live upon here?—I do not think that that is the least amount that a man could live upon.

2137. What do you say is the smallest amount a man could live upon respectably who has been to England and learned English manners?—The same amount, Rs. 400 or Rs. 500 a month.

2138. You said he could live upon less. Do you think a man educated in England could live on Rs. 250 a month?—I would give an allowance to Statutory candidates who had been selected and sent to England. When they come out to India they should get full pay, and have no probation allowance.

2139. Do you think that the pay allowed to Munsiffs of the lowest grade is sufficient to attract good men of the Bar?—The pay is very low. The conditions are also bad.

Mr. *Crosthwaite.*

2140. What sort of men are the present Munsiffs? Are they qualified and do they do their work well?—There are two sorts, the good and the bad.

2141. Are most of them good or bad?—Sir Charles Turner should be better able to say.

WITNESS XXVI.—*4th January, 1887.*

The Hon'ble *Rana Shankar Baksh.*

Examination of the Hon'ble RANA SHANKAR BAKSH, Vice-President of the Talukdar's Association, Lucknow.

The Hon'ble Mr. *Quinton.*

2142. You are a Talukdar of Oudh?—Yes.

2143. Vice-President of the Oudh Talukdars' Association and Member?—Yes.

2144. You have estates in the Bareilly District?—Yes.

2145. And you are a Rajput?—I am a Chatri.

2146. Are you acquainted with the rules for appointing Statutory Civilians?—Yes; I know something of them.

2147. Have you met any of the young men appointed to that service?—Yes.

2148. Do you approve of the mode of appointment under the existing rules?—Yes; I approve of it. It is beneficial and successful.

2149. Do you know of any feeling amongst your Native friends of dissatisfaction with the mode of appointment?—As far as I am aware they are all perfectly satisfied.

2150. What is your opinion about sending these young men to England after they are nominated? Would you send them to England?—I would not compel them to go to England.

2151. Would you encourage them to do so?—Yes, they should be encouraged to do so.

2152. How would you encourage them to do so?—Government should pay their passage-money and expenses.

The *President.*

2153. Is there any strong opinion on the part of any particular class of Hindus of these Provinces against going to England?—Yes, there is.

2154. Do you know any Hindus who have gone to England and come back?—I know one of my own brotherhood; he has given up the customs of his own people.

2155. He has not been received back by his family?—No.

2156. Are the objections decreasing or are they as strong as they were ten years ago?—It is the same still.

The Hon'ble Mr. *Quinton.*

2157. Are you aware of any feeling of dissatisfaction at the way in which the Covenanted Civilians are appointed?—It is approved of.

2158. Would you make any change in the present system?—A change as regards age, also in languages.

2159. Anything else except the age?—No.

2160. How would you alter the age?—To twenty-three years. I would make the maximum age twenty-three.

2161. As to languages?—I would add Arabic and Sanskrit, Persian and Urdu.

2162. Are you aware that Arabic and Sanskrit are portions of the examination at present?—I would make no change.

The Hon'ble Mr. *Quinton*—contd.

2163. There has been no Native gentleman in Oudh that has entered the Covenanted Civil Service by the competitive examination in England?—I do not know.

Mr. *Ramaswami Mudaliyar.*

2164. Have you any objection to an examination in India as well as in England?—I would retain the examination in England only.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

2165. Why?—I am in favor of holding the examination in England, because, as far as experience has shown, the Civilians who have come out to India by means of competition in England have proved most successful, and the customs and manners of England are a guarantee that a man would be of good qualifications.

2166. Do you not think it would be an advantage to the Natives of this country to hold an examination in India?—I do not think so.

The Hon'ble Mr. *Quinton.*

2167. You probably are referring to the people of Hindustan generally. Would it not be generally advantageous to the people who would be candidates?—In my judgment there is a difficulty in their way, but the educational advantages of going to England more than compensate for that difficulty. Those who want to go to England for the sake of education do not think they have any disadvantages.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

2168. But you have just said people of religious prejudice do not like to go to England, as if they do they lose their caste. Then those Hindus and Mahomedans who do not like to go to England on account of this difficulty, are they not under a great disadvantage?—Those who want to have a European education do not think of the disadvantages, but those who do not care to go in for it have no reason to complain.

The Hon'ble Mr. *Quinton.*

2169. As to the Uncovenanted Service. At present the Uncovenanted Service is recruited only from Natives of India in the Statutory sense, would you throw it open to all British-born subjects of Her Majesty?—Mostly the Natives should be employed.

2170. How would you admit men to the service, by nomination as at present, by competitive examination, or by limited competition?—Simply by nomination.

2171. And you would apply that to all the four classes of officers—Tahsildars, Deputy Collectors, Munsiffs and Subordinate Judges?—Yes.

2172. Would you confine the nominations by local Governments to men in their own Provinces?—I would prefer the Natives of the Province.

The Hon'ble Kazi *Shahabuddin*, Khan Bahadur.

2173. Do you not think that these nominations by Government or Government officers are likely to be abused?—Up to this time they have not been.

2174. Are the people of this Province satisfied with the officers that have been provided by nomination?—Yes, they are satisfied.

2175. Do they discharge their functions to the satisfaction of the people?—Both my personal experience and what I have heard from the people lead me to believe they do.

Mr. *Ryland.*

2176. You say Natives should be chiefly employed. To what extent do you think it would be advisable to limit the employment of Europeans or others? Have you ever thought that out?—No.

The Hon'ble Mr. *Quinton.*

2177. When a Covenanted, an Uncovenanted and a Statutory Civilian hold the same post, for instance as District Judge in Oudh, would you give them all the same or make a difference in their pay?—The pay for the post should be the same.

The Hon'ble Mr. *Quinton*—contd.

The *President.*

2178. Knowing what the expenses of a Native gentleman are, is the pay granted to a Statutory servant, Rs. 200 on appointment and Rs. 250 when he passes his first examination, sufficient?—It is not sufficient. It would be sufficient for some persons but not for others; for instance, if a man of good family and high social standing were appointed to a Statutory post, this amount would not suffice for his expenses.

Sir *Charles Turner.*

2179. Have you ever considered whether it would be desirable to recruit some of the inferior branches of the public service by competition between a certain number of gentlemen nominated by Government?—I have never thought about it.

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Lala *Baijnath*

WITNESS XXVII—*4th January, 1887.*

Examination of Lala BAIJNATH, Chief Justice at Indore.

The *President.*

2180. You are Chief Justice of Indore?—Yes.

2181. Where were you born?— I am a Native of India.

2182. How long have you been Chief Justice of Indore?—I was only recently appointed.

2183. Where did you get your education?—In the Delhi College.

2184. What is your age?—Thirty-three.

2185. What were you doing before you got your Chief Judgeship?—I was a First Class Munsiff in the North-West Provinces.

2186. Were you appointed from a Pleadership in the North-West Provinces?—No, I was a Translator in the Judge's Court.

2187. How many years did you serve the British Government?—I served the Government for ten years and a half.

2188. Did you resign the Government service?—No, my services have only been lent to the Indore State by the Government of the North-West Provinces.

2189. Have you thought over the subject of the admission of Native gentlemen to the Statutory Civil Service?—Yes, as much as I could.

2190. Is it generally approved?—No, not at all.

2191. Why is it disapproved?—The disapprobation is confined to those capable of judging of the merits of the system.

2192. Do you approve of it?—No.

2193. What are your objections?—First, because the intention of the Statute in making men of proved merit and ability eligible for posts in the Statutory Civil Service is not carried out fully, precedence being usually given to claims of birth over those of merit and personal fitness. These are my notes:—

Witness reads:—

The Statutory system is disapproved of (1) because the rules framed under the Statute admit Natives only to specific posts and not to membership in an organized service, thus shutting out means of gratifying honorable ambition and limiting their career of public usefulness; (2) because of the low pay given to Statutory Civilians, such pay being less than that of a First Class Tahsildar and a last grade Deputy Collector; (3) because of the inequality of pay, status and education between members of the Statutory and the Covenanted Services; (4) because of the intention of the rules in making Natives of proved merit and ability eligible for the service having not been carried out: only one member of the Uncovenanted Civil Service and one from the Bar has been appointed to the lowest post of the Statutory Service, and with few exceptions appointments have not been made on the score of ability but family connections; (5) because of the preponderance given to the nomination system whereby claims of birth are given preponderance over those of merit and personal fitness; this feeling of disapprobation prevails amongst people capable of judging of the merits of the system, the educated classes, and the members of the services, &c.

To remove this feeling it would be necessary to close the Statutory Service for first appointments and to limit it to the higher appointments of Natives of proved merit and ability to the higher posts of the Civil Service, such men being selected from the Uncovenanted Service and the Bar. If this could not be done by an amendment of the Statute rules, let the Statute itself be amended. It must not be supposed that by doing so we would fail to attract men of good family and social position, possessed of fair abilities and education, to get service, for the contrary has been proved to be the case in the history of the subordinate judicial and executive services. The Statutory Service being retained for members of the Uncovenanted Civil Service and the Bar, one-fourth of the appointments given in each year for competition may be given to the former, and their pay beyond a certain limit fixed at two-thirds of the pay of Civilians of the same grade, who enter the service by competition. The Government having still the power of selection only the very best men shall be selected, and there need be no apprehensions on the score of their being required to do a different class of work, *e.g.*, in the case of a Subordinate Judge appointed as a District and Sessions Judge. It would however be necessary to insist upon the possession of a good knowledge of English in all cases, at least that equal to an F. A. certificate, and no person appointed to the Statutory Service who has attained the age of fifty, no Statutory Civilians should be compelled to go to England They should only be encouraged to do so.

The *President*—contd.

2194. What are your reasons for wishing the appointments to be made to a service instead of to a post?—Because it will give Indians a means of satisfying their legitimate claims more than at present.

2195. In the way of promotion?—Yes, in the way of promotion.

2196. Do you entertain any objections to the Statute itself?—No, except so far as it prevents a Native from entering an organized service.

2197. You would not then alter it so as to make Natives of Feudatory States eligible for appointments?—Yes, it should include Natives of Native States. They should be eligible for this reason; no Native State prevents a Native of British India from being appointed to any post in its own dominions.

2198. Native States sometimes employ Europeans?—Yes, in my own State a European is employed as the Maharaja's Private Secretary.

2199. How would you amend the rules?—The rules should be amended, so as to give Natives freer scope to enter the Civil Service.

2200. In what way would you alter them?—By having a standard of general respectability; and I would appoint from the Uncovenanted Service all who have served as Deputy Collectors or Munsiffs for a certain number of years. That involves no alteration of the rules: you can do that now in the North-West.

Mr. *Ryland.*

2201. You would make that one of the conditions?—Yes.

2202. Has the present system succeeded in getting good men in the Statutory Service?—No, not good men.

2203. Have the men been better than men in the Uncovenanted Service?—No, I know some of them; they are on a par with educated men of the Uncovenanted Service. I am speaking of those who have received a high education.

2204. How many Statutory Civilians are there in the North-West altogether?—Seven or eight.

Mr. *Ryland*—contd.

2205. How many of them have not received a high education?—About three Statutory Civilians have received a high education and are Graduates of the University.

Sir *Charles Turner.*

2206. Are these men inferior to the Uncovenanted Service or superior?—No, on a par.

2207. The other men you consider not on a par?—The other men I consider not to be on a par with the best men in the Uncovenanted Service.

The *President.*

2208. Would you send your best men to England for training?—I would not make it compulsory, but I would give them encouragement to go to England.

Mr. *White.*

2209. I suppose you are aware that this mode of appointing Statutory Civilians has caused much dissatisfaction to men of tried merit and ability in the Uncovenanted Service?—Yes.

2210. And do you not think that if these men of tried merit and ability had been put into the posts set apart for the Statutory Service, the Government would have had better servants and been saved a good deal of expense, and that there would have been no necessity for this inquiry into the merits of the present Statutory Service?—Certainly. I think there would have been no necessity, although I cannot be very positive.

Mr. *Ramaswami Mudaliyar.*

2211. As regards the rules, would you not modify them in such a way as to prevent the possibility of any man being selected who has not in some way or other proved his merit or ability before he was so selected; whether as a member of the Uncovenanted Service, the Bar or some other profession?—Supposing Government to have the power of nomination, there ought to be some definite rules for nomination. There ought to be a preliminary test; there ought to be some preliminary selection. No man should be nominated as a Statutory Civilian unless he possesses a knowledge of English, as much knowledge as is required for the F.A. Examination. He need not have passed the F.A. Examination, but if he possessed the knowledge that should be sufficient. He must be a man of respectability, he must be physically fit: given these conditions I think he ought to make a good nominee for the Statutory Civil Service. I think that is enough. For men in the service of Government I think a period of service for at least five years as a Munsiff or Deputy Collector, together with a good knowledge of English necessary, and a good report from departmental superiors; this also should secure good nominees.

2212. Would you select more from the former class of men or the latter class, men who possess the qualification of F.A., physical fitness and are socially fit to be selected, or would you as a rule appoint from other classes of men who had proved themselves of merit and ability?—I would appoint mostly from men of proved merit and ability to the Statutory Service, meaning thereby the Judicial and Executive service, as well as men of proved merit and ability at the Bar.

Mr. *Nulkar.*

2213. Do you not think that Natives of about the same description as have accepted appointments in the Statutory Service would have been willing to accept Tahsildarships and Deputy Collectorships?—So far as I know, they would have been willing.

2214. So far as the best nominations go, the Statutory Service has not attracted men who would not have accepted posts in the Uncovenanted Service?—I do not think so.

The Hon'ble Mr. *Quinton.*

2215. How long is it since you went to Indore?—I only joined my appointment on 10th October last.

2216. You were serving as a 1st Class Munsiff in these Provinces?—Yes.

2217. Where were you stationed?—I was Munsiff of Agra.

2218. You have given us your opinion as to the qualifications of the gentlemen appointed to the Statutory Service. Do you know any of them?—Two or three of them.

2219. And your opinion was based on your personal knowledge?—Not only on my own personal knowledge, but on the reports of others.

2220. As regards two or three you have a personal knowledge?—Yes.

2221. As regards the remainder you judge from reports you heard?—Yes.

Mr. *Crosthwaite.*

2222. You said there was dissatisfaction with these Statutory appointments on the ground of insufficiency of pay?—Yes.

2223. Do you know what the pay is?—Yes, Rs. 200 on starting, Rs. 250 on passing the departmental examination, Rs. 300 or Rs. 350 on confirmation.

2224. And the pay of Rs. 200 is given to gentlemen quite untrained and with no experience, is it not?—Yes, but they are invested with small powers, and the general public treat them as Magistrates. If the appointment was Honorary as they have Honorary Deputy Collectors in the North-West Provinces, it would not matter. But Rs. 200 is given to them, and so far as I have made enquiries they are expected to live in a better style than members of the Uncovenanted Service, and unless they supplement their pay from their private means it is very difficult for them to live up to the standard.

2225. You are now Chief Justice of Indore?—Yes.

2226. May I ask what your pay is?—My pay is Rs. 930 in Indore Currency.

2227. What is the equivalent of your salary in British Currency?—Rs. 800.

2228. How many years have you served in Government employ?—Nine years.

2229. What powers have you as Chief Justice?—The same powers as the High Court, full appellate powers in criminal and civil cases, as well as powers of life and death and an unlimited power of original jurisdiction. I am a member of Holkar's Council and also his Judicial Secretary.

2230. Can you tell me what powers a young Civilian has on first appointment?—Yes, the powers of a Magistrate of the third class.

The President.

2231. Would you abolish the Statutory Service?—No, I would recruit the service from men of approved merit and ability in the Uncovenanted Service; but I would abolish the Statutory Service, so far as concerns new nominations by patronage, &c.

Sir *Charles Turner.*

2232. Do you get any allowance besides your pay?—I have a free carriage, free horses, a body-guard and all sorts of things.

2233. What was your pay as Munsiff?—Rs. 400.

2234. Your services have been lent, you may return whenever you like?—Yes.

2235. Your service in Indore counts for pension?—Yes.

The *President.*

2236. What is the feeling with regard to the Covenanted Civil Service?—A feeling of dissatisfaction among all classes.

2237. What are the grounds?—The limit of age is very low. Natives have to go to England at a very young age, before they are able to pass the entrance examination of the Indian Universities.

2238. What age would you propose?—Twenty-three as the minimum.

2239. The lower limit?—I would not have it below twenty.

2240. Twenty to twenty-three?—Yes.

2241. Is there any objection besides age?—Yes, because the examination is held in England only. I would have a simultaneous examination in both countries.

2242. Would you have an examination in India on the same subjects?—Yes.

2243. The same examination papers?—Yes.

2244. The same marks?—Yes.

2245. You would make no alteration in the subjects?—I would have Indian History and Vernaculars.

2246. Would you have one list for all?—One list for all.

2247. Is there any great objection entertained to going to England for examination?—Yes, objections are still entertained by some classes.

2248. Would you yourself go to England?—Perhaps I might go with the Maharaja. He is himself thinking of going to England.

2249. Do you know any Native gentlemen who have gone?—Yes.

2250. Have they been freely received back by their caste?—Not if they adopted Anglicised habits.

2251. If they have given up Anglicised habits?—In one case a man did give them up. In that instance I was instrumental in getting him back into caste.

Sir *Charles Turner.*

2252. What is your caste?—I am a Bania.

The *President.*

2253. Are the objections now in force?—The objections by heads of communities are losing their force, but it would not be safe in the present state of Hindu society to say there are no objections.

2254. Can you mention any particular class of Hindus among whom there are comparatively no objections?—I think the objections are the same with all orthodox classes of Hindus.

2255. You are aware that the intention of the examination as first instituted was to have a very high standard of English education?—Yes.

2256. If an examination were held in India would not there be pressure brought to induce the examiners to reduce the standard?—I do not think so.

2257. If such a tendency were to be shown would you agree to it?—No.

Mr. *Peacock.*

2258. Would you have an examination in more than one place in India?—If you had an examination in Bombay or Calcutta that would be quite sufficient.

Mr. *Stokes.*

2259. With an examination for all parts of India all classes of the community would have an equal chance of success?—Yes, I think so.

2260. All?—Yes.

The Hon'ble Mr. *Quinton.*

2261. Men from Bengal?—Yes.

2262. Delhi College?—Yes, when you have an examination in India in the same subjects. At the outset some few Bengalis, Brahmans, men of Bombay and Madrasis might have the best chance; but the fact of having an examination in India would create an impetus to high education in the more backward Provinces and any inequality felt at first would be soon remedied.

2263. The effect on the administration would be that for five or ten years until the backward Provinces overtook Bengal and Madras, you would have only Bengalis or Madrasis in the service. Do you see any objection to that on political grounds?—When a man has passed so high an examination as that for the Civil Service there should be no objection.

2264. Do you think all men would be fit to be employed in all provinces?—No, if a Native of the Punjab is available for the Punjab, a Native of the North-West available for the North-West, by all means employ him in the Punjab or the North-West, but if neither is available there would be no insuperable difficulty against employing a Bengali.

2265. Do you think a Bengali gentleman would be suitable as Deputy Collector of Kohat, or Delhi? Do you think a Bengali gentleman who has passed an examination at Madras or Bombay would make a good Deputy Commissioner of Kohat?—Yes, with a year's experience in England, he should be strong enough to deal with the Frontier tribes.

The Hon'ble Mr. Justice *Mitter.*

2266. You are invested with criminal powers?—Yes.

2267. I suppose the Indian Penal Code is the criminal law?—No, it is a modification of the Indian Penal Code.

2268. How long was your predecessor in service?—For thirteen years.

2269. He had also powers to try criminal cases?—Yes.

The Hon'ble Mr. Justice *Mitter*—contd.

2270. Have you heard any complaint among the people that the administration of criminal justice was not good?—I have heard complaints from the people, but they were due very much to the fact that the Maharaja employed his Chief Justice in other business as much as in his own proper business, and cases had to be kept hanging over for very long periods of time.

2271. I suppose there are other officers within the State invested with criminal powers?—Yes, we have Sessions Judges.

2272. Have you heard complaints as to their work?—Yes, because they give them so low pay.

2273. What pay?—A Session Judge does not get more than Rs. 150; the Session Judge of Indore gets Rs. 262 only, and two annas in the rupee is cut from the pay of all these officials as income-tax.

2274. Do you think that if the pay were raised better men would be available?—I think so.

2275. You would compel those who pass the competitive examination here to go to England for two years?—I think I would.

Mr. *Stokes.*

2276. I think you said Government should not compel them to go as it would be an outrage on their religious feelings. It is often objected that Government should not insist on young men going to England, because it outrages their religious feelings. You say they are all received back into caste. I want to know if going to England is such a serious dereliction that Government should not compel it. I want the opinion of the people. Is it a very grievous offence?—I do not think it is; so far as I have made inquiries it would not be an outrage on peoples' consciences.

2277. Is it a venial kind of sin?—Yes. It was so regarded in the case of two men at Indore.

Mr. *White.*

2278. You were asked a little while ago if it were possible, if the examination were held in India, that the service would be flooded with a particular class of people, that is, Bengalis for instance, but under the definition of Native of India it would be found that the children of domiciled Europeans and Eurasians and people whom I style Anglo-Indians would also appear for this examination, and that they would form a portion of the persons who have passed for the Civil Service of the country, so that there would not be such a monopoly as might arise under other conditions?—So far as I understood the President, I thought he put to me an hypothetical case and I answered it as an hypothetical case.

Mr. *Nulkar.*

2279. Are you not aware, as things now stand in the Covenanted Service, that no one can claim any particular appointment as his right by seniority?—No.

2280. It depends upon selection?—Yes.

2281. Any Commissioner cannot be Commissioner of Kohat unless Government consider him fit for it?—Yes.

2282. For many years military men were appointed not only in Kohat but elsewhere.

Mr. *Nulkar*—contd.

Government made selections from those that passed?—Yes.

2283. And for different posts only fit men are appointed?—Yes.

2284. There are men, not excepting Collectors, sometimes found not fit?—Yes. I do not think there need be any fear of frontier districts being filled with people from the South.

The *President.*

2285. How would you recruit the Uncovenanted Service—from what classes? Would you recruit them from Natives of the country as defined in the Statute 33 Vic., c. 3, or from all natural-born subjects of Her Majesty?—No, from Natives of the country. I understand by the Statute of 1833 that no Native of India or natural-born subject of Her Majesty shall by reason of race or birth be excluded from any appointment for which he is thought fit. In the first place few Europeans would show sufficient knowledge of Native languages and Native minds.

2286. Supposing they fulfilled all the tests whatever they may be?—If they fulfil all the requirements there ought to be no objection. So far as I have understood present arrangements Europeans and Eurasians are employed freely as Deputy Collectors; there are two Eurasians as Munsiffs. If a person is qualified, by all means let him be employed.

2287. Are you aware of the orders of 1879 of the Secretary of State which impede the employment of any European in any office, the pay of which is more than Rs. 200? Is that consistent with the Statute?—I do not think it is quite consistent with the Statute.

2288. In recruiting for the Uncovenanted Service how would you do so, by nomination, selection or limited competition?—Taking the judicial service first, I would recruit it by a system of nomination based upon certain distinct rules as it is done at present. The present rule is that any person who has passed the examination as a Vakil of the High Court; or has passed certain examinations or held certain offices can be selected by the High Court; and appointments have been very successful, all those made in this way. I would keep this present system of recruitment for the judicial service; for the executive service I would have a sort of limited competition, that is to say, a competition amongst persons nominated by the local Government.

2289. Would you apply that system to Tahsildars as well as Deputy Collectors?—I would apply that system to two-thirds of the appointments reserved for Deputy Collectors and two-thirds of the appointments reserved for Tahsildars; for the other one-third I would give the Government power to nominate.

2290. Would you recruit territorially from the Natives of each Province, or would you have one general service for all India?—No, I would give the Natives of the Province preference in their own Province.

Mr. *White.*

2291. You are aware that the Statute of 1873 was passed to afford additional facilities for the Natives of India to enter the service of Government?—Yes.

Mr. *White*—contd.

2292. And you are also aware from the published correspondence and so forth that the Uncovenanted Service was in a manner to be reserved for the Natives of India?—Yes.

2293. Now I am quite agreed with you in the opinion that the service of Government should be opened to all classes of Her Majesty's subjects, but considering that the Circulars and the Act were passed with the object of giving Natives of India additional facilities, would you, under such circumstances, include all Her Majesty's natural-born subjects, and see that proper safeguards were employed in order to prevent an undue use of patronage?—Yes, I would see safeguards employed, and those safeguards are a residence in England, and that an officer should possess as much knowledge of the vernaculars as possible, as much knowledge of Native manners and customs as possible, then let him be employed. For that purpose he must undergo a very searching examination, not an ordinary examination.

Mr. *Ryland*.

2294. You have said you would not exclude Europeans from the Covenanted Service if qualified. As a matter of fact are there not many Europeans in the Uncovenanted Service of these Provinces who have proved themselves to be quite as efficient as any other class of administrators?—I only know one or two men, I cannot give you any opinion on this point.

2295. Have you ever heard any objection against them on this point?—I have made no inquiries. I have heard nothing on the point. I can give you no opinion upon it.

2296. Are you aware that this order of the Secretary of State has already actually excluded some men from being appointed?—I am not aware of it.

Mr. *Nulkar*.

2297. With reference to that order of the Secretary of State impeding the appointments of Europeans to posts in the Uncovenanted Service which carry a salary of more than Rs. 200 a month, are you aware that that only applies to a very limited number of appointments?—Yes.

2298. There are services that may be called Uncovenanted which are entirely officered by Europeans, and that order does not apply to them?—Yes.

2299. I ask if that order prohibiting the employment of Europeans to posts carrying a salary of more than Rs. 200 a month is not limited to a small number of the services. There are branches of the Uncovenanted Service which are filled entirely by Europeans to which this order does not apply, and in which employment carries higher salaries than those enjoyed by Natives. There are high offices in Government, Police, Excise, Abkari, Opium, and many other such appointments?—I am aware of that.

The *President*.

2300. We are enquiring now only with reference to Deputy Collectors, Tahsildars, Subordinate Judges, Munsiffs. You are aware of the fact that there are departments of Government to which that order does not apply?—Yes.

2301. You have no special remarks to offer, have you, in respect of pay and furlough?—I have only two short remarks to offer. In the first place I think the members of the Uncovenanted Service and the Bar who are appointed to high posts in the Civil Service should get two-thirds of the pay of Covenanted officers, and that the salaries of the Subordinate Judicial Service should be raised both in the minimum and maximum.

2302. And furlough?—I have no remarks to offer on the question.

2303. Have you any other remarks you wish to offer?—No.

WITNESS XXVIII.—*4th January*, 1887.

Examination of Babu KAKKU MALL, Pleader, Judicial Commissioner's Court, Oudh.

The *President.*

2304. What are you?—I am President of the Municipal Board of Fyzabad and a Pleader.

2305. President by appointment or election?—By election.

2306. How long have you been a Pleader?—Five years.

2307. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—As far as the Statute 33 Vic., Chapter 4, goes it is approved. The rules require some amendment. Considerations of birth have had too much influence, and men of approved merit have had no chance in the service, so that I would not advocate any appointment to that service on first appointment for the future. I would close that service for first appointments. Then I think that the service should be divided into two classes—the Judicial and the non-Judicial service, the Judicial to be recruited in all grades from members of the Bar after a certain number of years of experience and practice. The non-Judicial Service, I think, should consist of two branches, the Covenanted and the Uncovenanted Service. The Covenanted Service should be recruited by the competitive examination in England, where only proper education can be secured, or by promotion from the Uncovenanted Service. Any post of Rs. 100 or upwards in the Uncovenanted Service should on first appointment be given by limited competition or by selection, which may be done in this way:—Some ten or fifteen candidates should be nominated by Government and the list circulated to the municipal boards of the Province, because I think the service should be Provincial. The municipal boards should give their votes to the candidates, and the Government should select, out of the five who have obtained the largest number of votes, one man for the appointment, but should not go beyond the five. I think a knowledge of English essential, and must be a condition precedent to any future appointments in the Uncovenanted Service. My idea about the limit of age for the competitive service is that it should be increased to twenty-two. I would, as I have said, abolish the Statutory Service for first appointments. I say there should be two services—one Covenanted and one Uncovenanted.

Sir *Charles Turner.*

2308. You would raise the age for the competitive examination in England to twenty-two?—Yes. I also object to military men being admitted into the Civil Service. In the Uncovenanted Service and in the Covenanted Service military men are sometimes admitted—in Oudh and the Punjab. If the competition in England should meet with general approval I would insist that no person should be admitted into the competitive service unless he had received a training of at least four years in England. As to the leave and furlough rules, I think they should be the same, except when furlough is taken out of India. For the Covenanted Service even, and those persons who have never been to England, I think their rank, privileges, status and pensions, should be the same, but I would not give Natives the same pay as Europeans. My reasons are that the Natives of India have their residence in India, and can live on a lower scale of pay. They should not get the same amount of pay as gentlemen that are brought out from England. I advocate this on two grounds: for the sake of the country, which is financially poor, and because the Native Civil Servant has his home in India. I would therefore give him less pay. Those persons admitted by promotion from the Uncovenanted to the Covenanted Service I would have chosen by election. I am very much in favor of election, and, if there were ten candidates whom Government thought equally fit, a list of the gentlemen should be prepared and sent to the Municipalities, and a report should be submitted to Government, and Government should have the right to choose any of the five who stood at the head of the poll. That is my general scheme. The vernaculars should be added to the subjects of the competitive examination held in England.

Sir *Charles Turner*—contd.

2309. Do you say there should be an examination in India also for the Covenanted Civil Service?—No, that examination should be held in England, but if this does not meet with general approval, and there is an examination in India, there must be special training. By saying the examination should be held for the Civil Service in England I am not in favor of competition entirely; there should be some training required of the person who comes out to govern the country.

Mr. *Peacock.*

2310. You are a Native of Oudh?—Yes.

2311. Do you think there would be any objection on the part of the Natives to go to England?—There is at present, but that feeling is dying out.

2312. But would those who went from Oudh to England at the present time be put out of caste, and could they on their return be re-admitted?—They would not lose caste and would be re-admitted. I know two gentlemen, of whom one—a Mahomedan gentleman—mixes freely with his people; the other—a Hindu—is not out of caste but is himself averse to mixing with Natives. The desirability of going to England is to acquire the knowledge of an Englishman, not to have ourselves Anglicised. If I were to go to England and come out a successful candidate, my fellow castemen would receive me with open heart and assign me a place of honor.

2313. What is your caste?—Khatri.

The Hon'ble Mr. *Quinton.*

2314. Where were you educated?—At Fyzabad High School.

WITNESS XXIX.—*5th January*, 1887.

Syad *Mahmud.*

Examination of Syad MAHMUD, of the Uncovenanted Service, District Judge, Rai Bareilly.

The *President.*

2315. You are a Barrister-at-Law and District Judge of Rai Bareilly I believe?—Yes. In order to enable the Commission to weigh my evidence I beg to state that I was born in Delhi on the 11th Rajjub 1266 H. of a family of whom the first member who entered the Government service was my father, and up to the time of the mutiny I was brought up there according to the rules of the Mahomedan community, and subsequently I lived with my father during my course of education principally in the North-Western Provinces as now defined. About the year 1865 I entered for the first time a Government school, and about 1868 was selected Government scholar to go to England for the purpose of studying for any profession I might select. In 1872 I was called to the Bar, and after my return to my country I practised principally in the Allahabad High Court, as well as occasionally in the Punjab, the Central Provinces and Oudh. In 1879 I was appointed by Lord Lytton's Government as District Judge of Rai Bareilly, and was, I believe, the first Native District Judge ever appointed in Upper India, and I still hold that office. My services were lent to His Highness the Nizam of Hyderabad during the lifetime of the late Sir Salar Jung, and for nearly a year I served under His Excellency. I subsequently returned to my present appointment, and also served as a member of the late Education Commission, and immediately afterwards as Puisne Judge of the Allahabad High Court. This last appointment I have held off and on for periods aggregating about two years. I wish to add further that I am a pure Native of India and not in any way a European British subject. I state this because the phrase European British subject has a very technical meaning in the Indian law, and I wish it to be understood that by no possibility could I come under it.

2316. You have, I believe, given a great deal of attention to the question of the admission of Natives to Government service?—Yes, for the last seven years at least.

2317. Have you considered the questions which the Commission originally issued?—Yes.

2318. And do you wish to give answers to those questions or to the shorter series?—I prefer to answer the original questions.

2319. What is the prevalent feeling in your Province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general or is it confined to certain sections of the community?—I answer this question by quoting a passage from a memorandum which I wrote in February, 1882: "The public believe that the nominees of Government for the new Native Civil Service are not considered by Government itself to be morally and intellectually as fit to be entrusted with the work of administration as members of the Covenanted Civil Service enlisted in England. Government professes to give them the same rank and

The *President*—contd.

administrative powers as to Covenanted Civilians. The country at large and the official classes, both European and Native, do not regard Government nominees with the same respect in point of intellectual and administrative capacity as they regard Covenanted Civilians, and the lower standard of pay and pension allotted by the rules to the Native Civilians supplies a kind of basis for the belief that Government, in making professions of equality of rank and efficiency between Native Civilians and Covenanted English Civilians, is insincere, that the new Native Civil Service is an attempt to favor the rich and to delude the public into believing that Government is at last prepared to give the Natives the same rank in the administration as it gives to Englishmen."

To these observations I would add that by the word public I mean such sections of the community as are sufficiently advanced to take an interest on public matters of this kind. The feelings above described I regard as dissatisfaction with the existing Statutory system, and the feeling is naturally strongest among such classes of the population as are in a position to aspire to a share in the higher ranks of the administration. The feeling of dissatisfaction cannot therefore be called general, and with the exception of intelligent and educated zemindars, here and there, the landed proprietors and the peasantry, as well as the lower classes in general, are indifferent to the question, though even they are liable to be influenced by the malcontents.

2320. What are the grounds upon which any such feeling is based?—The scope of this question is necessarily general, and in answering it I cannot do better than quote a passage from a letter addressed to me in October 1881 by a friend, a Mahomedan gentleman of vast abilities, and possessing a high social and administrative position in a Native State. He says:—"To sum up I am of opinion that the proposed scheme will not work for the following reasons:—(1) The prospects held out will not secure the class of men Government have in view. (2) A different scale of payment will stir up class distinctions, and will tend seriously to imperil the efficiency and *morale* of the service. (3) Questions connected with precedence and promotion will constantly arise of a nature most difficult to deal with on account of the inequality of pay between Civilians holding similar positions. (4) The measure cannot be defended on the ground of economy, as the saving will not, at any rate for a long time to come, amount to more than two per cent. on the entire outlay on the Covenanted Civil Service. (5) If the difference of pay is based on the supposition that Natives can live cheaper than Europeans, I venture to submit that the position is untenable, and applies only to men in low position, living in pure Native fashion and bringing their children up in the old Native way. (6) Really competent Natives are few in number, and cannot be obtained cheap. They

The *President*—contd.

will rather go to one of the learned professions than to a service in which they will always be heavily handicapped. (7) A lower scale of payment, coupled with the system of appointment by nomination, will bring in incompetent men and impair the value and dignity of the service in the eyes of the Natives of India. (8) Lastly the scheme, as it stands, is sure to meet with opposition from the European Civilians and others who have won their way into the service, because it will damage their prestige and retard to some extent their prospects of promotion." I concur generally in these observations.

2321. Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic., Chapter 3, Section 6) or is it directed against the rules framed thereunder?—The feeling of dissatisfaction above referred to is not directed against Statute 33 Vic., Chapter 3, Section 6, but against the rules framed thereunder and the manner in which those rules have been usually worked in the various parts of India.

The Statute itself is not objected to, in fact it is regarded as a very beneficial measure.

2322. What amendments do you advocate in Section 6 of the Statute?—I have no amendments to advocate in Section 6 of the Statute, because it is so liberal that its intentions can be satisfactorily carried out according to the social and political conditions of various parts of India entrusted to local Governments and administrations. In my opinion the condition of India at present requires that local Governments and administrations should not be too much tied down by hard and fast rules in connection with the Native Statutory Civil Service.

2323. Do you consider that Section 6 of the Statute supplies such a definition of the words "Native of India" as describes with sufficient clearness, fulness and accuracy the various classes of persons for whose appointment to Covenanted posts it is desirable to provide?—I have, upon general principles, no objection to the definition of Natives of India as contained in Section 6 of the Statute 33 Vic., Chapter 3; but as a question of administrative expediency I am convinced that the difficulties which are sure to arise in consequence of that definition might be obviated by excluding every person who in one breath calls himself a Native of India and in the next calls himself a European British subject within the meaning of clause (*a*), Section 4 of the Criminal Procedure Code.

2324. If the objections are directed against the rules framed under the Statute, do they relate to the mode or modes of selection actually adopted?—Yes.

2325. Do they relate to the general conditions in regard to pay, promotion and retiring annuity under which Statutory Civilians hold their office?—Yes.

2326. Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objections which may be felt to them?—The objections to the Statutory system as at present worked have already been indicated in my preceding answers, and I do not wish to say more as the rules referred to are not among the papers sent by the Commission.

The *President*—contd.

2327. Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted officers?—Yes. They regard the status of Statutory Civilians as a grade of Government service lower than that of the higher Uncovenanted officers.

2328. How is the present Statutory system regarded by members of the Uncovenanted Service?—As a member of the Uncovenanted Service myself I regard the Statutory system of enlisting officers as inferior to the system by which the higher grades of my own service are recruited. The reason is that in the Uncovenanted Service the rule of merit prevails, on the whole, whilst in the Statutory system favor is the predominating element, so far as I have means of judging.

2329. Do competitive Civilians, English and Native, and members of the Uncovenanted Service, respectively, stand on a footing of cordiality with Statutory Civilians, or is there any friction between them?—Certainly not, so far as I know, with few exceptions. The reasons are too obvious to be stated in detail. The friction referred to does exist at least between Englishmen of the competitive Civil Service and Native Statutory Civilians. By friction I simply mean absence of cordiality and interchange of the social amenities of life. Much depends upon the temperaments of the individuals concerned, but so far as I know competitive Civilians regard the Statutory Civilians with contempt, without any active feeling of hatred or hostility.

2330. Has the Statutory system had the effect of securing men who, in point of education or natural ability, are superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service?—Certainly not. Indeed I am inclined to think that the Statutory Civilians are, as a rule, inferior in point of education and natural ability to the higher ranks of the Uncovenanted Service, under which expression I include Native as well as European officers belonging to the Uncovenanted Service.

2331. Has the result of the Statutory system been to secure the services of men of better social position and better family than those who usually accept posts in the Uncovenanted Service?—I answer this question in the affirmative so far as it relates to the initiatory posts in the Uncovenanted Service. But as to the higher grades of the Uncovenanted Service my answer is in the negative.

2332. On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your Province?—A system of nomination pure and simple would be regarded with favor only by such classes as prefer favor to merit and ability; but in my opinion appointment by nomination pure and simple is undesirable as it is open to the risks of personal favoritism at the cost of public interests.

2333. How would a system of nomination to be followed by a period of probation be regarded by the same classes?—With disfavor; because, if the nominee proves himself to be unfit after probation, his expulsion would cause greater

The *President*—contd.

socio-political harm than the good which might be expected from his original appointment.

2334. Would a system of nomination, with or without probation, be likely to secure well-qualified persons?—Not as a certainty, but much of course depends upon the individual merits of the nominee and the means available to Government for judging of those merits.

2335. Has experience actually shown such a system to secure well-qualified officers?—No; with few exceptions.

2336. Do you consider that nominations should be confined to persons of proved merit and ability?—I answer this question in the affirmative, though, as already stated by me, I regard the system of pure nomination as a mistake.

2337. If so, how do you consider that merit and ability should be held to have been proved for this purpose?—I would have three methods of testing "merit and ability"—

(i).—Official career of persons already in Government service;

(ii).—Success in any of the learned professions, specially in the profession of law;

(iii).—Special rules to be prescribed by Government for enlisting young men as Statutory Civilians.

2338. How would a system of limited competition amongst persons nominated for this purpose by the local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded?—This question is placed under the heading *Mode of Selection of Statutory Civilians*; and I therefore regard this as the proper place for expressing my views upon the subject, though in doing so I shall be anticipating some of the later questions. My views are contained in a memorandum which I wrote in February 1882, and I answer this question by quoting a long passage from that memorandum:—

"It now remains for me to discuss the last, but at the same time the most important, aspect of the new Native Civil Service, *viz.*, the question of efficiency. At present nominations, or rather appointments, are made without any tests beyond those furnished by the opinions of those who recommend individual young men. Young men are, therefore, appointed to the service as probationers, whose appointments may never be confirmed unless they pass certain prescribed examinations after having actually entered the service. I consider this method of enlisting wrong for two reasons:—

(*a*). Because it does not furnish enough previous guarantee for intellectual capacity;

(*b*). Because the possible contingency of a probationer not being confirmed in the service will, in a country like India, produce more political mischief than his original appointment could do good.

The system of *nomination*, pure and simple, is one extreme. The system of *competition*, pure and simple, is the other extreme. Government has adopted the former; but I submit that what is wanted for India is the 'happy mean,' *viz.*, nomination tempered by competition; and since the number of nominees every year is to be, too, limited to render competition a sufficient guarantee for efficiency, I would recommend a third element, *viz.*, a fixed passing standard as a guarantee against inefficiency.

The *President*—contd.

The main features of the scheme which I venture to propose for ensuring efficiency would be—

I.—Nomination.

II.—Competition.

III.—Fixed standard for passing.

IV.—Permanent appointment.

I will take each of these heads separately.

I.—*Nomination* of candidates should be made subject to the following conditions:—

i.—That the nominees belong to good families, having a good social position in the country. In making nominations Government would, of course, keep in view other considerations also, such as loyalty of the candidate's family, the promising intelligence, character, and attainments of the candidate himself, and such other matters as Government now considers to be essential for regulating nominations.

ii.—Subject to the above considerations the number of nominees should not be limited to any particular number; indeed I would recommend that Government should aim at nominating at least three candidates for each appointment intended to be made.

iii.—The nominees should not be younger than seventeen years, and not older than twenty-one years in age. The object is to admit of a larger number of nominations than can now be made, and the advantage of this course would be—

1.—That many more families will have a *chance* of getting their cadets admitted to the Native Civil Service, and though the number of actual appointments would not thereby increase, a larger number of families would be interested in the service.

2.—The nominees and their parents will have longer notice to prepare for the intended career.

3.—Government will be able to nominate as many young men as are properly recommended and are considered fit without being restricted to the limited number of actual appointments to be made in the year, as is now the case—a circumstance which is liable to deprive other young men as deserving as the nominees of a chance of entering the service.

4.—More extended nomination will do political good by enlisting the sympathies of a larger number of families, will give a stimulus to education among the higher classes, and will finally produce administrative good, because a higher standard of education among those classes from which the Native Civil Service is to be recruited means a higher standard of administrative efficiency.

5.—Government will have a wider and a better field for selection when candidates are more numerous than the appointments to be given away.

iv.—Nomination should imply the guarantee only of the fact that the nominee is considered by Government, with reference to

The *President*—contd.

such considerations as Government may have in view, fit to be a candidate and to compete for an appointment in the Native Civil Service. The number of chances which a nominee would have of entering the service would thus be regulated by the age of the candidate, who could, of course, not be admitted without the tests hereafter suggested.

II.—*Competition* is the natural corollary of what I have said under the heading of *Nomination*. If the principles I have suggested are adopted the number of nominees will, of course, be larger than the number of appointments to be made. Selection should, therefore, be made by the results of a competitive examination, to which only the nominees should be admitted. The question as to the subjects of the examination forms a matter of detail, and need not be discussed here, but the examination itself should be subject to the following principles:—

i.—That the nominees admitted to the competitive examination should have attained the age of twenty-one years and should not have attained the age of twenty-four years.

ii.—That, so long as a nominee is younger than twenty-four years of age, no previous failure should bar his competing again. The nominee cannot have more than three chances of competing, as under the rule suggested he cannot compete before attaining majority nor after he has attained the age of twenty-four years. I believe this is the limit of age under the present rules, and, in my opinion, the interests of the public service certainly cannot lose, but will probably gain, by allowing more than one chance of success to such nominees as are young enough to be entitled to them under the proposed rule.

iii.—As the result of the examination the names of the examinees will be arranged in order of merit, and Government will make appointments accordingly, taking only the number required for the year. The rule, as here suggested, is the same as that which governs the Indian Civil Service open competitive examination in England.

I may here express my opinion, based upon adequate data derived from conversations and discussions with my countrymen, that no political or other harm can arise from the fact that, under the system I advocate, a certain number of nominees must necessarily be kept out of the service. The public mind will attribute the failure of such nominees to their own fault, or inefficiency, as compared with the successful competitors. So far as the unsuccessful nominees themselves are concerned, it can never be a bad thing for their mental and moral welfare to have made an intellectual effort and to have gone through an education which they would probably not have even aimed at if the chance of entering the Native Civil Service had not been open to them. They will certainly be better citizens than they would otherwise have been.

There is yet another aspect in which competition in the form in which I suggest will be beneficial. It will operate as a salutary check upon capricious or mistaken nominations, and success

The *President*—contd.

in it will afford a material guarantee of the power of application to work and study, which must, of course, be a satisfactory point of character.

The power of application to studies necessarily involves steadiness of purpose, high aspirations, desire to please parents and guardians, and other points which go to form the moral character of a young man.

III.—*Fixed standard for passing.*—I consider this necessary in view of the fact that the number of nominees cannot be large enough to render competition alone a sufficient guarantee for the amount of efficiency absolutely necessary for a Native Civilian with reference to the official duties he will be called upon to discharge.

The standard of passing must be as high, *and no more*, as is absolutely necessary for the purposes of discharging official duties, and such nominees as fail to attain even that standard must be rejected in the interests of the administration and the public. Even in the open competitive examination in England a system of deducting marks prevails to secure the same object.

IV.—*Permanent appointment.*—In my opinion the system of appointing young men to be probationers is inexpedient. If a Native Civilian, after getting his appointment, is found to be unfit, he must, of course, be asked to resign the service. This would be a measure which, in the first place, would be regarded with great dissatisfaction by the nominee himself and his family and friends, and, in the second place, be liable to be misconstrued by the Native public. I have taken special care to ascertain the Native feeling upon this point, and I feel myself in a position to say confidently that the expulsion of a nominated Native Civilian would do much greater harm than his original appointment could do good. The sense of injury would be much greater than if the nominee had never been appointed at all. I feel sure, for reasons already given, that failure in a competitive examination will produce no ill feeling at all, though it may be regarded as a misfortune by the parties immediately concerned. On the other hand, the fact of a probationer not being confirmed in his appointment will be regarded as his expulsion from the service, and even the intellectual reproach which it would involve will be construed as a moral reproach and be regarded as a blot upon the young man's character through life. It will produce the feeling of being deprived of something which had been already obtained, and not the much less strong feelings due to not being able to obtain a thing at all. I therefore venture to recommend that the system of appointing probationers should be abandoned, and that appointments to the Native Civil Service should not be made without adequate previous tests, and that, when they are once made, they should be as permanent as the appointments of English Covenanted Civilians when they land in India. I am aware that English Civilians do not come out to this country without having undergone elementary technical education and tests, which furnish a substantial guarantee for their fitness for the official work on which they are at first employed; but in the case of Native Civilians there is no reason why the same should not be the case before

The *President*—contd.

they are appointed at all. It is a mere matter of detail, and could be easily worked by introducing in the competitive examination, above suggested, subjects—(such as Political Economy, Law, &c.)—similar to those that are studied by English Civilians after success in the open competitive examination. If this is done the appointment of a Native Civilian will place him on the same footing as an English Civilian, and both will, of course, under similar conditions and rules, be required to pass the departmental examinations in local laws, &c., which they now have to pass to qualify them for promotion, &c.

To sum up the broad results of the opinions expressed by me in this memorandum I suggest—

(1.) That the policy of confining the Native Civil Service only to the wealthiest classes should be abandoned.

(2.) That the class from which the Native Civil Service should be mainly recruited is the class of gentlemen of good families who are not rich enough to place them above the necessity of finding a career for their sons.

(3.) That nominations of candidates for the Native Civil Service should be more numerous than the appointments actually to be made.

(4.) That such nominations should be made early enough to enable the nominees to prepare and study for their intended career.

(5.) That selections for appointments should be made by combining the system of nomination with that of competition, and after ascertaining that the person appointed has the requisite standard of efficiency.

(6.) That the present system of appointing probationers without adequate previous tests should be relinquished.

(7.) That appointments to the Native Civil Service once made should be as permanent as the appointments of English Civilians when they land in India.

Here the essential elements of my scheme end. I consider them to be necessary and easily practicable, and I am convinced that, if they are adopted, they will conduce to make our new Native Civil Service a greater success, from political, administrative and economical points of view, than it is likely to be under the present system of organising it."

I still adhere to these views, and the only thing which I wish to add is that the power of nomination should not be given to the Universities.

My reasons for this view are that these learned bodies are not in a position to realise the exigencies of the British administration in India; and in the next place University nominations must necessarily proceed upon purely intellectual tests in passing examinations. I maintain that purely intellectual tests are not adequate for the purpose of selecting Statutory Civilians for the administration under the present socio-political conditions of Indians. Moreover Indian Universities are simply examining bodies, there being no system of residence as in Oxford and Cambridge. The Indian Universities, therefore, are not in a position to form any opinion as to the moral, social and other circumstances of the nominees.

2339. In preference to either of the above systems (nomination and limited competition), would a system of open competition pure and simple for the Statutory Service commend itself to the Native community?—A system of open competition pure and simple will be approved by the middle classes of certain races in India, who send their sons to Government schools and colleges for education mainly with the object of entering Government service. But the higher and more influential classes will disapprove the system of open competition. And it follows from what I have said under the preceding question that I personally think that the socio-political conditions of India renders the introduction of "*open competition*" extremely inexpedient. But if such a system is considered inevitable, I should say that any kind of competition should strictly be limited to the Province concerned.

The *President*—contd.

I wish to add that, as I understand the system of open competition, there are at least two propositions which are the foundations of the system itself. The first, as I take it, is that one human being is, taken as a whole, practically the same as another; that is to say, the human race may be dealt with as so many balls on a billiard table or any kind of natural integers for the purpose of calculation. The second is that *ceteris paribus* the person who succeeds most in an open competitive examination is the best person to employ. With reference to the first I am not prepared to say that the open competitive system may not be a success in a country which is absolutely homogeneous, namely, a country where the distinctions of race and religion, of rank and position, are so commingled that really the whole nation has one history, and the traditions of that nation are the same. For instance, taking France, Germany or England itself, I am prepared to say that it may be with reference to the peculiar conditions of the country an advisable measure to take each individual unit as an integer for the purpose of calculation referred to by me, and the first proposition on which, in my opinion, the competitive system is based. But in India, where every race has a different history, different characteristics, different language, different political aspirations, and even different physical qualifications, the principle of competition would be fallacious, because it would ignore its first condition. At the same time, in places where the competitive system can be introduced with due reference to the homogeneity of the population, I would allow it to be introduced, not by the mandate of the legislature, but upon the responsibility of the local Governments.

2340. If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service? If so, what form should such encouragement take?—Yes. Such encouragement should take the form of giving such allowances as the nominees would be entitled to during their residence in India during the probationary period. But to such allowances should be added passage money (first class) for the journey to England and back to India. These expenses could be easily fixed at a round sum—say Rs. 2,000.

2341. Are you in favor of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service?—

The *President*—contd.

No. Because unsuccessful candidates will represent so much loss of money from an administrative point of view. The open competitive examination in England should be allowed to remain under its natural conditions as to the people who are in a position to send their sons to Burlington House for competition.

2342. If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent?—My answer is in the affirmative. So far as the Mahomedans fit to be appointed Statutory Civilians are concerned, they can have no prejudice against going to England, and so far as the Hindus are concerned, the difficulty, though much greater, is fast giving way to modern progress.

2343. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—No. But I would rule that, till the proper proportion of Native candidates are successful in the open competitive examination in England, the proportion should be made up after the results of the examination in England by appointing Statutory Civilians.

Mr. *White.*

2344. You have read the Statute of 1870 carefully?—Yes, Section 6 of it at least.

2345. And is it your opinion that the policy of the Act was the encouragement of persons who had proved their merit and ability already in the service or in some other way?—My view, as I understand the section, is that the express object of it was to keep the head of the administration in India as represented by the Viceroy the controlling authority in such matters. The Statute goes beyond the spirit of the hard and fast provisions of the earlier Statutes, which rendered it practically impossible for a Native of India to attain to any rank which Englishmen held in the higher branches of the administration.

2346. And the phrase "proved merit and ability"?—I look upon that as a phrase of very general signification. I take it Parliament meant that the Indian administration, or whoever was the responsible authority, should be able to say, "we prescribe such an examination; whoever passes it, his merit we take to be proved"; or "we prescribe that a man who has done well in the Uncovenanted Service is a man whose merit is proved"; or they might say, "whoever has taken a degree of the Oxford or Cambridge or one of the Indian Universities may be taken to have proved his merit and ability." I believe Parliament never meant to tie the hands of the Indian administration.

2347. In a despatch of the Duke of Argyll, then Secretary of State, dated 8th April 1869, addressed to the Governor-General in Council, His Grace says: "A more free employment of them (Natives of India) in the Uncovenanted Service and promotion according to their merit and ability from that service to the Covenanted Service must seem to be the method of providing least beset with difficulties and least open to objection. This would be indeed a competitive examination of the best kind." Are you of that opinion?—I respectfully think that, if the words I have just heard for the first time were intended to restrict the operation of the Statute to selection only from Uncovenanted officers, it would be restricting the law.

Mr. *White*—contd.

Sir *Charles Turner.*

2348. The Duke did not say that. In reference to the Bill then before Parliament he indicated promotion as a method of selection least beset with difficulties?—I think it was a very notable suggestion as one, but not as an entire, system.

Mr. *White.*

2349. As we know now that suggestion was never acted upon?—It was to some extent.

2350. The Statutory system as it exists arose out of the Statute. Do you not think now that, if the system of ascertaining proved merit and ability by past services had been adopted, this Commission would not be sitting here to enquire into the value of the Statutory Service as it exists?—I think this Commission would be sitting here under any conditions, because, in my opinion, the whole question did require a very thorough enquiry. However, my view is that a system by which solely Uncovenanted officers should be selected or promoted to ranks hitherto reserved for the Covenanted Service would be likely to prove a failure from the fact that there is no sufficient material from which to supply the needs of the administration so as to satisfy the demands of my compatriots without lowering the efficiency of the higher ranks of the administration.

2351. I merely wish to draw your attention to the fact that the Statutory Service has been considered unsatisfactory, and that we are now enquiring as to how a better system can be introduced. The rules for the Statutory system requiring a period of probation have resulted in a great deal of expense to Government?—I am not in a position to state figures; but every payment of money without getting an actual return for it in the shape of work I regard as lost. But so far as my part of the country is concerned the probationary Civilians have during that period of probation worked extremely hard, in fact considerably more than they are paid for, in the hope of getting something better.

2352. But under the other system Government would have had men ready to its hands?—Probably; but not in sufficient number.

2353. Are you aware that in accordance with the original intention the appointment was contemplated of one member at least of the Uncovenanted Service direct to a Collectorship in the Madras Presidency?—I dare say it was so, and I should say it was a reasonable proposal. But, of course, the appointment of such a man to such a high post at once would have necessarily interfered with the claims of older Civilians. By older I understand men who had been sufficiently long in the service to expect Collectorships; but I would add that, relying on the discretion of the local

Mr. *White*—contd.

Governments, whilst leaving them full power to take such an exceptional measure, such appointments might be made, and of course, as I take it, would be very rare. I believe that I myself was appointed, not to the Covenanted Service, but to a post ordinarily held by that service, and did, in fact, supersede some members of that service under very exceptional conditions however.

Mr. *Ryland.*

2354. Do you think it would be necessary at all to retain the present Statutory Service if the rules you propose should be applied to admission to and promotions from the Uncovenanted Service as it is now called?—I think so. It would be necessary as one of the channels by which to obtain fit material for administrative needs.

2355. But suppose the same system applied to the Uncovenanted Service, would there be any necessity for retaining the Statutory Service?—I think so, if only to enable young men who would never condescend to enter the Uncovenanted Service through the lower ranks of the Uncovenanted Service; in a word to enable Government to appoint cadets of good families of promising character and exceptional abilities in consideration of their local influence. My view is that men who would not care to enter at the bottom of the Uncovenanted Service would be willing to accept the lowest grade in the Covenanted Service as a beginning.

2356. If the initial salaries of the Statutory and the Uncovenanted Services were the same, would not the status of the Uncovenanted Service be raised so as to induce such men as you have mentioned to enter it?—Yes; it would have that effect no doubt, but not to such an extent as to induce young men to enter at the bottom of the service.

2357. Whom do you refer to when you say you would exclude from the definition of Natives of India all who with one breath call themselves so and with another call themselves European British subjects? Do you mean to exclude Englishmen who stand upon their simple birthright as natural-born subjects of the Queen?—I understand your question is limited to the Statutory Service?

2358. Yes. Well, the Statutory Civil Service is the artificial result of the Statute, the object of Section 6 of which is set forth in the following words: "Whereas it is expedient that additional facilities should be given for the employment of Natives of India of proved merit and ability in the Civil Service of Her Majesty in India." I wish to give no legal opinion, but I think that a very plausible argument might be made out of the words of the Statute that the phrase Natives of India *ex vi termini* excludes any persons who by reason of their descent or place of birth claim certain privileges as against the general laws of the country which are not enjoyed by the rest of the population.

2359. Then you would not extend the definition?—I would keep it as it is, but would take care to interpret it according to my views.

2360. Then I understand that you would extend it to those who are ready to give up their privileges?—I am inclined to say merely that under the Statute a very good case can be made out for holding that persons within clause (*u*), Section 3, of the Criminal Procedure Code are not Natives of India within the definition in Section 6 of 33 Victoria.

Mr. *Ryland*—contd.

Sir *Charles Turner.*

2361. But may they not come distinctly within the terms of the provision that "Natives of India" shall include persons born and domiciled in India of parents habitually resident there? The parents may be European British subjects?—If the question were argued difficulties might arise over the meaning of the words "temporary purposes" and "domiciled and habitually resident." I wish to give no definite opinion on that point, but I do say that as a matter of administrative expediency any one who declines to be dealt with by the general laws of the land as a Native of India ought not to be allowed to call himself a Native of India for the purposes of this Statute.

Mr. *Ramasawmi Mudaliyar.*

2362. Except in the matter of his admission is a member of the Statutory Service on an equal footing with a member of the Covenanted Service?—Yes, he is supposed to be so.

2363. And the Covenanted Service is intended to supervise the work of the other service?—Yes, practically.

2364. And therefore you would not admit into this service men who did not possess ability and integrity?—Certainly not.

2365. I suppose when you say you would have for your limited competition men of good family you mean men who at the same time possess ability and integrity?—Yes.

2366. And before admitting such men to your limited competition you would ascertain whether they possess those qualifications?—Yes. That I take to be ascertained in nomination.

2367. Would you presume integrity from the fact of membership of an old family, or would you require some specific proof of the existence of that quality?—I would leave it to the local Governments to decide that with reference to the exigencies of their respective administrations.

2368. But how could you know that a man possessed integrity until you had tried him, because, of course, your scheme contemplates only young men?—My scheme really comes to this. Nomination, limited competition and a fixed standard for passing; all these being antecedent to the action of the local Government in the matter of appointment.

The *President.*

2369. You say that the local Governments can be depended upon to nominate for your limited competition only such men as possess the requisite conditions?—Yes.

Mr. *Ramaswami Mudaliyar.*

2370. If you were the head of a local Government, how would you ascertain that the young men you proposed to appoint possessed integrity and proved ability?—I deny that the phrase "proved merit and ability" applies to such nominations as I have proposed. The Statute can never operate until a person is actually approved and appointed.

The *President.*

2371. You mean that the process which the man goes through, of nomination, competition and so on, is the proof of the merit and ability which entitles you to appoint him under the Statute?—Yes, it is antecedent to the operation of the Statute. Supposing I want three Native Civilians, I nominate five hundred and select the best three with my particular system. With reference to these latter, if I was at the head of the local Government, or whichever is the authority, I should have to consider, has the test which Mr. So-and-so has gone through been sufficiently high to enable me to say that he is a person whose merit and ability are proved? So that under my system the Statute does not apply to the nomination at all. I would nominate a boy of nine years if I thought fit; the proof would appear by his passing the test.

Mr. *Ramaswami Mudaliyar.*

2372. You said that if a system of appointing men of proved merit and ability in the Uncovenanted Service or in the practice of a profession were adopted there would not be a sufficient number. How many appointments are made every year?—When I said not sufficient it was not purely numerically that I meant it. I meant, and I think I said, that it could not supply the demands of the Native community in connection with the higher ranks of the administration. It would not supply the needs of the population which did not by reason of the educational conditions of the province produce a sufficient number of Native officers from the Uncovenanted ranks to furnish a certain numerical proportion, because the other sections of the community are historically, politically and socially more important for administrative reasons, and therefore it would not be sufficient in that sense. If the Statutory Service is not open to such men it is not likely that you could enlist their services in the Uncovenanted Service.

2373. As a matter of fact, are the gentlemen who have been selected from the Statutory Service persons who would not have entered the Uncovenanted Service, for instance, if a Deputy Collectorship had been offered them?—As a matter of fact, and keeping strictly within my own personal knowledge two of the very best appointments made under the Statutory rules in my province, are of men promoted from the post of Deputy Collector, one being a graduate of high rank in the Calcutta University; but I believe both gentlemen entered the service under the impression that it was only a sort of probation before entering into the Covenanted Service. But answering the question as it has been specifically put, I say no. The two gentlemen I refer to would probably have refused to enter the Uncovenanted Service if that had been the ultimate career.

2374. As Deputy Collectors?—Some of them, especially those who belong to the more important, pecuniarily speaking, families would not.

2375. Had the gentlemen you have referred to been offered Deputy Collectorships on the distinct understanding that on proving their merit and ability they would be promoted to the Covenanted Service, would they not have accepted the offer?—I think so.

Mr. *Nulkar.*

2376. As a District Judge have you criminal jurisdiction?—No.

2377. You say that in your scheme of limited competition you would not have less than three nominations for each appointment. Would three be sufficient to ensure excellence?—I would not object to thirty or forty. I would prefer to have the largest possible field, but confined to the class I have mentioned.

2378. Your object in having limited competition is to attract men of the upper middle class?—Yes.

2379. You say good family would be one of the qualifications?—I meant it would be a recommendation, other things being equal.

2380. Would a University degree make up for any deficiency in that respect? For instance would you admit a graduate whose family belonged to the lower middle class?—No, not solely for that reason.

2381. If a sufficient number of Natives passed in England you would, I understand you to say, do away with the Statutory system altogether?—It would cease to be necessary.

2382. Then what would become of your upper middle class for whom you wish to provide?—By the time such a state of things had been brought about the country would be so far advanced as to make such distinctions unadvisable and unnecessary. I would be ready to do away with Section 6 altogether if the progress of education in India among all classes, socially, politically and administratively important, were such as to ensure the success of a proportion of candidates of those classes in the open competition in England.

2383. And what proportion would satisfy you?—That I would leave to the honor of the British rule and to the capacity and efficiency of the men at the head of the local Governments to decide with reference to the political conditions of the various parts of India. For instance, I can imagine that for one part of India half would not be too much, for another part two-thirds, and so on. There might be parts of India where one European would be enough and other parts where the present twenty per cent. of Natives would be as much as you could have; but this, as I said, I would leave to the responsibility of the local Governments, subject to the control of the Government of India. The question of the retention or otherwise of the Statutory system would have to be decided with reference to the numbers of Natives who passed in England.

2384. What number of Natives passing in England would satisfy you that the Statutory system was no longer necessary?—I am not in a position to answer that question with reference to the whole of India, but I certainly think the proportion should be more than a nominal one, that it should be a substantial one with reference to the peculiar conditions of the various parts of India. That is the only way in which I can express my views.

The Hon'ble Kazi *Shahabuddin,* Khan Bahadur.

2385. You said the circumstances of different provinces would decide the number or proportion of Natives in the Covenanted Civil Service. Would not time also decide it as the country advances or retrogrades?—Yes, and for that purpose I would have entire confidence in the

The Hon'ble Kazi *Shahabuddin*,
Khan Bahadur—contd.

heads of local administrations and the opportunities they have of ascertaining the social needs of their respective territories.

2386. You know the way in which Covenanted servants are selected in England?—Yes.

2387. What is the maximum age limit?—Under recent rules I believe nineteen.

2388. Have you any guarantee, ordinarily speaking, of a candidate's integrity at that age?—I should say not beyond such certificates as the candidate can produce, and that it would depend much on the respectability of the family he belongs to. I don't think a lad of nineteen can be relied on one way or the other.

2389. You say that Natives of the middle and lower classes send their children to schools. What schools?—I mean educational establishments in general, excluding very high colleges.

2390. What class of education would you think necessary to qualify a Native for the Statutory Civil Service?—I should say a collegiate education.

2391. And when you said Natives of the middle and lower classes send their children to schools you mean high schools or colleges?—Yes, when I said middle class I had in my mind a pecuniary standard, namely, such persons as by reason of inadequate private fortune are not above the necessity of seeking a livelihood either in Government service or in a profession. I mean that important section to whom the public service is an inducement, the backbone of the nation as it would be called in England.

2392. And do all these classes send their children to schools and colleges?—Not at all.

2393. Then, generally speaking, by what class is this education resorted to?—In my own province there are three very important classes of the community who do not adequately resort to it, *viz.*, Rajputs, Jats and Mahomedans.

Mr. *Stokes.*

2394. You say that a large proportion of the educated Natives believe that the Government in framing this Statute were conspiring to delude the Natives of this country. Do you mean to say that is your personal opinion?—I attribute no unworthy motives to Government, and I should say it was a very feeble opinion because it proceeds upon suspicions, but the opinion is held.

2395. Do you consider it wise to give appointments to people who hold such opinions?—Yes, because the best remedy for discontent is to cure the grievance, not to suppress it.

2396. You say you knew or had heard that gentlemen appointed as Statutory Civilians were treated with contempt by the Covenanted Civilians?—I have reason to think they were. By contempt I do not mean any active feeling of hostility, but a general opinion that Mr. A., who has been let in by Government as a Statutory Civilian, is inferior to Mr. B., who has come in by the door of open competition in England. It is a feeling which I have every reason to think is common among Covenanted Civilians, and the fact is well known to the Statutory Civilians themselves.

Mr. *Stokes*—contd.

2397. Contempt is a very strong term?—I should be glad to modify it to this: the Covenanted Civilians treat the Statutory Civilians as inferior socially, mentally and in every other way to themselves.

Mr. *Peacock.*

2398. Does the same feeling generally exist between Covenanted Civilians and Uncovenanted officers in subordination to them?—There is no reason why there should be such feeling, call it what you will; I think there is no feeling of jealousy of any kind between the Uncovenanted and the Covenanted.

2399. What feeling of jealousy can there be between the Covenanted and the Statutory Services? It has been distinctly ruled that the Statutory Civilian is not a member of the Covenanted Service?—To this extent: a Civilian appointed or promoted under the Statutory rules does deprive *pro tanto* Covenanted officers of certain posts.

The Hon'ble Mr. *Quinton.*

2400. You have served in the Rai Bareilly District since 1879?—Yes, and sometimes in Allahabad as Judge of the High Court.

2401. And you have resided for some time at Aligarh?—Yes.

2402. Were any Statutory Civilians employed in any of those districts when you were there?—No, if by district you mean the same station, but I have had means of ascertaining the state of things because such men have been serving within my jurisdiction, and so far as my means of information went, the social relations between the two classes are of a character which should not exist in a service which is really one and the same.

2403. How many of these men were serving under your jurisdiction?—I am not at all willing to answer any question which involves the names of persons, but I have reason to speak as I do, from conversations with the intimate friends of those persons, their own expressions of opinion to me personally, and to my own personal friends as well as my conversations with English friends of the Covenanted Civil Service. Legally, this would be hearsay evidence of course, but I do not see why it should not be a good foundation for an opinion such as I am called upon to express here.

The Hon'ble Mr. Justice *Mitter.*

2404. As I understand the objection it is this, that the Statute authorises the local Government only to appoint persons to specific posts, for instance, to appoint Mr. A. to the District Judgeship of Bhagulpore. Mr. A. does not thereby become a member either of the Covenanted or Uncovenanted Service. That is an objection we have heard several times taken against the Statute. Do you think it is well founded, and, if so, have you any remedy to propose?—I say it is a mistake to make nominations to specific posts without giving the person so appointed a career in the future in the service into which he has been so appointed.

2405. You think it not a very unreasonable contention that persons who claim the privilege of European British subjects under the provi-

The Hon'ble Mr. Justice *Mitter*—contd.

sions of the Criminal Procedure Code should not be entitled to consider themselves within the definition of Natives of India in Section 6 of 33 Vic., Cap. 3. Is it your contention that this anomalous state of things should be removed by the definition in Section 6 being altered so as to show clearly that those persons who can claim privileges under the Criminal Procedure Code shall not be entitled to any privilege under Section 6?—That is what I aim at chiefly, but as a question of law purely I maintain that a plausible case might be made out to show that persons who fall under the category in clause (*u*), Section 3 of the Criminal Procedure Code are not Natives of India within the meaning of Section 6 of 33 Vic. In the next place, I am satisfied with the definition in Section 6, relying as I do upon what I will call the discretion of the British administration in India, which will not, I trust, allow persons who in the same breath call themselves Natives of India for the sake of the benefits conferred by Section 6, in another breath to call themselves European British subjects for the sake of the privileges conferred on that class by another part of the Statute law of the land.

2406. And you think the Government has that power under a clause of the section itself, in which it is provided that the Government may from time to time qualify define, or limit the definition of the word "Natives"?—My view is that legislative action would be necessary to bring about any such absolute result; that is to say, Section 6 could not be offered as an alternative to the provisions of the Criminal Procedure Code, and I do not think it should be done. On the Statute itself I am inclined to think that the phrase "Natives of India" itself cannot easily be amplified by anything which follows, and that whoever is not a Native of India in the manner in which the word is ordinarily understood does not fall under the Act at all, and so far as I know, the Government of India has so interpreted the Act in practice.

The Hon'ble Mr. *Quinton.*

2407. You say you would make the Statutory Civilians undergo a test much the same as that prescribed for the probation of candidates who pass in England. But by doing that would you not limit the field of selection for the Statutory Service very greatly?—It may have that effect.

Mr. *Crosthwaite.*

2408. Once or twice you used the term "initiatory posts" in the Uncovenanted Service; to what existing grade do you refer?—I mean anything below a Tahsildarship, but it would depend upon the grade of Tahsildar.

2409. You stated certain objections to appointing men on probation. Are you aware that the Tahsildars are at present appointed on probation?—I have no personal knowledge as to that.

The Hon'ble Mr. *Quinton.*

2410. By probation in reference to Tahsildars is meant that a man is not confirmed as a Tahsildar until he has passed a certain examination. Are you personally aware of any objection ever having been made by anybody to this probation of Tahsildars?—No.

The Hon'ble Mr. *Quinton*—contd.

2411. Are the objections you refer to popular objections or those well-educated men would adopt?—Certainly, the class with which I associate would adopt them.

2412. Do you share them yourself? Would you object to competitive Civilians being placed under two years' probation in England?—No; but I do not look upon that probation in the same sense. The selected competitive candidate in England is, in my mind, nothing more or less than a scholarship-holder on whom Government chooses to spend a certain sum of money in the hope that at the end of two years he will be a useful member of the administration in the lower ranks of the Covenanted Service. Probation in the case of Tahsildars is a very different thing, and it is almost a misnomer to call it probation at all. It is allowing a person to exercise magisterial and executive powers under entirely the same responsibility as a man premanently appointed would exercise them. To expel such a man amounts to a confession that the work done by him was badly performed, and of course such probation is very different from the probation of a candidate in England.

2413. Might not the same objection apply to removing a man at any time during his service for inefficiency?—I think such a dismissal if treated only on that ground would be a very frank confession that the Government so far had been spending public money on the wrong person. I don't think the analogy is made out, especially as such dismissal may be due to supervening reasons.

Mr. *Crosthwaite.*

2414. Probation applies not merely to efficiency but to all the qualities necessary for good service?—I would object still because I see a distinction between the two things.

Sir *Charles Turner.*

2415. Do you not consider it desirable, where possible, that men should be tried in office rather than appointed only on the probability of their fitness for office?—I think so.

2416. Is it not the case that judicial officers in this province are generally appointed in the first instance to officiating posts?—Yes.

2417. And does not that afford the Court or whoever may be the appointing authority an opportunity of testing their fitness?—I think so.

2418. Would it be desirable to confirm a man in an appointment for which actual experiment had shown him to be unfit?—Certainly not.

2419. Then how do you in principle distinguish from probation the course suggested by my questions?—Probably there is no distinction in principle, but it is one way distinguishable as a difference in kind. I think there is a difference between expelling a man for inefficiency and keeping him in the service without giving him any exceptional advantage.

2420. Do you think it fair to the public to continue a man in its service who is proved to be inefficient?—I don't think it is, but I do think there ought to be some system of providing for an officer as a sort of self-inflicted penalty for the blunder made in taking him in the service. And even that I should look upon as a benefit to the public, because the value of the service must

Sir *Charles Turner*—contd.

deteriorate if there be no guarantee of provision in after life.

2421. Have you ever heard or personally known of any such principle being acted upon in private or commercial life?—No.

2422. And is not the Government, as trustee for the public, bound to exercise in the choice of its servants at least the same prudence as a person in private life and in commercial life would exercise?—Yes, and if possible more; but at the same time I think there are some considerations affecting the public service which do not affect commercial interests and private life. I mean to say the temptations are not so great in the latter nor the duties so onerous or responsible.

2423. Now as regards European British subjects; the system of exclusion you advocate would be opposed to the terms of the Statutes 3 and 4, Will. IV, Cap. 85, would it not? (reads section).—No; and there is no inconsistency between the Statutes, but I am not prepared to enter into a legal argument. I have read the Statute but not with reference to this particular question. I do know that the section does say so but the section does not, in my opinion, affect the later Statute; the additional facilities provided for Natives under that section do not relate to all subjects or to everybody. The later Statute, I say, is a particular and special enactment reserved for special purposes, and as such would probably control and not be controlled by a general enactment.

2424. Is it not a rule of construction that in construing a Statute you should have regard to others in *pari materia*?—Yes; but, as I have said, a plausible case could be made out to show that the provisions of Section 6 cannot be used to interpret Native of India as European British subject.

2425. Why do you consider it anomalous that a European British subject should claim at once the privileges of a European British subject under the criminal law and the privileges of a domiciled resident in India under the Statute 33 Vic., Cap. 1? You said you would not allow a man to claim both. Now, assuming that the interpretation generally placed upon the Statute is correct, and that it does allow of the appointment of some European British subjects born and domiciled in India, why would you not allow them to claim at the same time their privileges under the Criminal Procedure Code?—I have no personal objection to their doing so. It is simply a question of expediency. To give further facilities to persons of undoubtedly great worth and ability to enter a service which is intended for another class of Her Majesty's subjects entirely would be deviating from the spirit of the Statute, and, politically, I say the appointment of officers who are Europeans and who might under the other interpretations come under the category of European British subjects born and domiciled here might lead to a great deal of nepotism. Lastly, I say that, so long as these distinctions are maintained, the practical efficiency of the Statutory Service must be impaired.

2426. Why?—Because the very fact that there are two persons both claiming to be Natives of India, one nominally subordinate to but practically above the other in point of a certain exceptional law, would give rise to the almost unavoidable feeling, not only among the persons concerned, but the public at large also, that the person subordinate was by reason of his peculiar legal footing really superior to the other.

2427. Are not most of the personal privileges enjoyed by British subjects under the Code of Criminal Procedure founded on the principle that a man should be tried by the persons best acquainted with his circumstances and habits of life? Is not that really the principle which underlies what you call the privileges of British-born subjects? Do you or do you not think so?—That may be the object of many of the persons who advocate the distinction.

2428. But is it not the principle which underlies our present legislation?—It is very difficult for me to know what the Legislature has in view except by judging from the history of the law itself.

2429. The law of British India recognises the right of a man to be tried by a jury, the majority of whom are persons acquainted with his habits of life, so as to form a true judgment on points material to the enquiry. It secures to the Natives of this country the right to be tried by a jury, the majority of whom are Natives. Is not the principle the same as that which underlies the existing provisions of the Code, with one exception, which confers special privileges on European British subjects?—As a matter of Indian legal history I believe that is not the whole origin of the rule.

2430. But whatever the reason for enacting such provisions, have they not been defended on this principle?—I hope it is, but I have doubts as to the proposition itself being right, because, if the nationality of a person in a judicial office is to be the test of his ability to judge of the crime of the parties concerned, I am perfectly prepared to say that the same principle would apply to Europeans trying Natives, that is to say, it would come to this, that no Native could try any but a Native, and no European any but a European.

2431. But are not the European officers who would try a Native ordinarily gentlemen who have experience of the country and are bound to make themselves acquainted with Native manners and customs?—That is so generally speaking; but if that qualification is required they might insist on the Native officers having it when dealing with Europeans. Broadly speaking, I do not think nationality has very much to do after training with the capacity of judging facts. Such I believe is the principle of the law in Ceylon, where there is a mixed population of Natives and Europeans, and I am not aware that any failure of justice results from difference of nationality. And even in India all civil suits and criminal trials in which Europeans appear as prosecutors are free from restrictions as to nationality, though of course such trials involve as much power of judging of facts as trials in which the person complained against is a European.

2432. Has not recent legislation in India proceeded on the ground that the more advanced and educated Natives are now sufficiently acquainted with the habits and manners of Englishmen to be entrusted with certain further jurisdiction?—Yes, I am glad it is so.

2433. There is another personal privilege secured by law to European British subjects, the privilege of applying to the High Court when

Sir *Charles Turner*—contd.

arrested. Is not that privilege in substitution in this country of the right of *Habeas Corpus* which every European British subject has under the Statute of Charles II?—Yes.

2434. It is a personal privilege?—Yes.

2435. Is it not the case that some Natives of the country enjoy personal privileges in respect of legal procedure?—Yes, with reference to one point, so far as I remember, their personal attendance in the Civil Court. The privilege so far as I remember is confined to *pardanashin* women and persons of political significance, neither being usually fit for public service.

2436. Would you, on the ground of their having that personal privilege, exclude them from the right to share in public offices with other subjects of Her Majesty?—I would abolish the privilege altogether in time, and therefore the question would not arise.

2437. But in the meanwhile would you exclude them upon the ground of their having that privilege?—Yes, on that ground only. I believe the local Governments at present have power to say that such and such a person shall be excused attendance in Courts. I would exercise that power in the rarest possible cases, and, if it was considered that a particular province was sufficiently advanced to dispense with that power, I would abolish it in its application to that province.

2438. But at the same time how would you contend that the possession of one privilege affords a ground for depriving a man of another which has no connection with it?—It would be a reason against the person who did possess that privilege being placed under a person who did not possess it for reasons similar to those I have mentioned with reference to European British subjects.

The *President.*

2439. Suppose the local Government of any province were to excuse *A* from attendance in Court, would you exclude *A* from the Statutory Service merely on that account?—I think I would.

Sir *Charles Turner.*

2440. I think it is part of your scheme that only members of good families should be appointed. Would not that also be in contravention of the Statute of William IV, which says that in the matter of descent there shall be no impediment to office?—That is a general enactment; the Act of 33 Victoria is a special enactment. And as I have already said there can be no inconsistency of interpretation as the latter would probably control the former.

2441. Would not a limiting rule, such as you propose, be at variance with that special enactment? For instance, a rule excluding any person who is not the son of an English esquire? Would it not be a restricting rule?—It would be; but my system of nomination does not involve either descent or any other qualification. I don't mean the condition as to good family to be understood in the sense of a codified law but as a matter of discretion and expediency with reference to local conditions.

2442. Would it not effect all you require and at the same time comply with the Statute if for persons of "good family" you substituted persons

Sir *Charles Turner*—contd.

of "good manners"?—Under clause (*a*) of my scheme the local Government would have the right to nominate such a person.

The *President.*

2443. Would you exclude an educated *Chamar*?—I would have no such hard and fast rule, but would leave it to the local Government to nominate him.

2444. Is competition of Natives in the examination in England favorably looked upon by large and important classes in India?—Yes, because upon principle that the people do not wish to be deprived of the right now existing under the law of being able to send their sons to England in the hope of competing successfully with English youths in England, but serious complaints are made in regard to the present rules of the open competitive examination in England which render the success of a Native candidate extremely difficult.

2445. Can you say what number of Natives belonging to your province have presented themselves annually at the competitive examination in England and what degree of success they attained?—So far as I know, ever since the introduction of the open competitive examination in England, only two candidates belonging to my province (*i. e.*, Oudh and the North-West Provinces) have presented themselves at the competitive examination in England, and both have been unsuccessful.

2446. What class or classes of Natives in your province readily go to England?—Advanced Hindus and Mahomedans who can afford to incur the expenses of residence in England for educational or other purposes. The Hindus, however, owing to their religious beliefs, are less in a position to send their sons to England than Mahomedans; but pecuniarily they are as a rule in a better position than the average Mahomedan gentry. Recently some advanced Hindus have proceeded to England at the risk of caste prejudices.

2447. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—Yes, the objections are mainly based upon religious and caste prejudices, and they are felt by the Hindu community in particular. Besides these prejudices both Hindus and Mahomedans are often averse to sending their sons to England at a young age, partly upon grounds of health and partly because there would be no parental control for the moral and social welfare of the young students.

2448. How far would any system of appointment which involves a journey to, and residence in, England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—The system if worked too strictly would be objected to, especially by Hindus; but even amongst them the advanced classes are showing willingness to proceed to England for educational purposes, and among some castes it is not settled whether a journey to England would necessarily involve forfeiture of caste, whilst the religious rite of *praschit* or penance would probably enable persons to be re-

The *President*—contd.

admitted into their caste on their return from England. But I must add that the majority of my Hindu friends educated in England are unwilling to undergo the ritual of *praschit* or to be subjected to caste rules after their life in England.

2449. How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to, and residence in, England?—The objection as to pecuniary means would apply to such a system only in the same sense as an objection that high education usually involves expenditure of money and that the poorer classes are not in a position to give high education to their children. The objection is based upon an ultimate fact of the politico-economical science, and though it may be a hard fact it can scarcely be avoided; and with reference to the social and political conditions of India I would neither attach importance to the objection, nor do I think that the influential classes attach much significance to the pecuniary outlay on the education of their children. And considering the circumstances of my part of India, and the social and political exigencies of the administration, I am inclined to think that, so far as pecuniary considerations operate to restrict the field of selection for the Covenanted Civil Service, the state of things should be maintained—the system of the Statutory Civil Service being an adequate supplement to the system of admission by competition in England so far as the Natives of India are concerned.

2450. Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—There should be one and the same standard for both Native and English candidates, and also one and the same examination for all. But I would reconsider the rules of such examination with reference to age, subjects, &c., in such a manner as to render the examination a fair test for judging the comparative merits and intellectual capacities of English and Native candidates. The open competitive examination in England is, in my opinion, governed at present by rules framed almost entirely with reference to English candidates, and therefore operates unfairly upon the chances of success which a Native candidate might have in such examination. If the rules are duly amended there should be no reason for complaint on the part of my countrymen.

2451. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others?—Yes.

2452. Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—Yes, undoubtedly, and I say so not only with reference to the numerical proportion of the various populations of India but also with reference to the comparative social and political importance for the purposes of efficient administration. For instance, the Rajputs, Mahomedans and Sikhs, all of whom are important sections of the community, both politically and socially, would not receive their due share in the public service under a system of open competition which would practically be limited to the literary classes in Upper India under the present conditions of the country.

The *President*—contd.

2453. Do you think there are any objections on political or administrative grounds to open competition in India?—I disapprove of the whole proposal as to an "*open competition*," and it would be absolutely impossible under such a system to ensure a due proportion of appointments falling to the population of the several provinces. I have no hesitation in saying that the results of such a system would be unsatisfactory from a socio-political point of view, for it must be remembered that India is not a country but a continent with as many varieties of race, religion and language as the whole of Europe, and each race has an antecedent political history which Government should not ignore. Moreover, not only the various provinces but also the various sections of the population in each province have reached varying educational standards, and it does not follow that the classes most adapted to pass educational tests of the English competitive type are best fitted for administration. To put the matter shortly, I hold that there is not sufficient homegeneity of the Indian population to render an open competitive examination desirable, either from a political or administrative point of view. And I may add that, speaking purely politically, the effect of such a system would be to alienate the sympathies of those sections of the community whose loyalty is most important for the stability and efficiency of the British administration.

2454. Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—Yes, partly because, till quite recently, certain important sections of the community have held aloof from the system of education imparted in Government schools and colleges and partly because such of the cadets of leading families as have received an English education have not, in my part of the country, usually attained such a standard as would enable them to compete successfully in a general competitive examination open to all classes. Moreover I anticipate some difficulties arising from social or political prejudices on the part of cadets of high families being associated with persons of a lower rank in life.

2455. Under a system of open competition in India would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England?—I have had no means of forming a definite opinion, but I should say that the fact of a person having been educated in England would probably give him a higher status in public estimation.

2456. Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed?—I think such a system

The *President*—contd.

would be viewed with disfavor by the more important sections of the Native community, especially by such classes as find an opening for the cadets of their families in the Statutory Civil Service—the open competitive system being unsuited to the country for admission to the Civil Service in India.

2457. Kindly state generally the system you would advocate in regard to the Covenanted Service?—I would retain the open competition in England, but not extend it to India, nor regard a person who enters an examination held in India as on an equal footing with the candidate who presents himself for examination in England. I would have Natives of India compete on exactly the same terms as Englishmen as well as regards age as with reference to other qualifications. I would apportion a proper number of marks to Oriental classics, having regard always to their general value as a means of improving the intellect. For instance, I would allot the same marks to Arabic and Sanscrit as are allotted to Greek and Latin, and Persian should be on an equal footing as modern European languages. The age limit would be from seventeen to twenty-one, as it used to be. I think this system, supplemented by the Statutory system, about which I have already expressed my views, would be quite sufficient to satisfy the aspirations of the Indian people.

2458. Have you anything else to suggest in connection with this part of your examination?—No.

Mr. *Ramaswami Mudaliyar.*

2459. Why do you object to simultaneous examinations in India and England, the selected Indian candidates being required to proceed to England for training?—In the first place the population of England is sufficiently advanced and sufficiently homogeneous to enable the principle of the competitive system, *viz.*, a unit being taken as a unit in the calculation, to prevail. In the second place, having regard to the purposes of British administration in India, the circumstances of persons being born in various parts of the United Kingdom has no bearing; but in India the differences of races, of creeds and of history of the various provinces and nationalities would make the operation of those principles impossible.

2460. Do you think that the Mahomedans and Hindus are at variance to a greater extent than the Irish Roman Catholics and the Irish and English Protestants?—Having never been in Ireland I cannot tell how far the differences are religious or purely political arising out of the previous history of Ireland.

2461. When you said there was homogeneity in Great Britain which did not exist in this country, had you made allowance for such differences?—I should say, judging from what one reads, that there was more homogeneity between the Roman Catholics and Protestants of Ireland than between the various sections of the Indian population.

2462. Assuming that to be the case, do you think you would be assisting or retarding that process of homogeneity by having the examination in India?—My view is that you ought not to deal with India as one country. You must

Mr. *Ramaswami Mudaliyar*—contd.

deal with it as a continent. Not only would there be questions of race and religion, but also difficulties of language, that is to say, we should be having Natives of one part of India working under British rule in another part of India to which they would, owing to the enormous area and variety of the Indian population, be entirely strange. It would come to this: the higher departments of the administration of a province carried on by one class of foreigners through another class equally foreign to the population of that province.

2463. As a matter of fact you have already some officials here who are not Natives of this province?—Yes.

2464. Has it led to any undesirable consequences?—Not beyond a certain amount of discontent among the population at large, I mean among those who would otherwise be filling these posts—I mean that it is looked upon as a wrong distribution of patronage.

Mr. *Nulkar.*

2465. At present, with the examination limited to England, only those classes who have advanced in education can send candidates to compete, so that that preponderance of certain classes does exist to a certain extent even now. Do you deprecate it?—Not having had any personal experience I have been unable to form a definite opinion as to that. But I still consider that it would be a great evil if the system of open competition in England should result in this doubly foreign administration in any part of India.

The *President.*

2466. The candidates being equally eligible within the Statute William IV, would the Government be violating that Act by giving preference to the man who, for certain political reasons, would better serve it in one part of the country than the other?—Certainly not. It is no more than giving the preference to one of two Englishmen or one of two Natives of the same province.

Mr. *Stewart.*

2467. Apart from political considerations do you see any practical difficulties in the way of holding examinations simultaneously in England and in India?—No. But by practical difficulties I understand only such matters as keeping examination questions secret before they are given to candidates.

Mr. *Stokes.*

2468 What are your objections to the simultaneous examinations?—Those I have already stated. I object to competition in India; there is not sufficient homogeneity among the population.

2469. But you would allow competition among Natives of India without respect to homogeneity?—No, but the question has not become a burning one.

2470. You mean there are not enough Natives?—I believe that the present circumstances of India call for some proportion of Europeans in the higher public service, and I object to a system which might result in the rest of the service being filled by Natives of another province, almost equally foreigners, because I think

Mr. *Stokes*—contd.

that the administration would suffer. However the present state of things in the open competition in England is not at present such as to make the question a burning one.

2471. When Native education has so far improved that Native boys can freely compete with English boys at home, when the cost of the journey to England has been so far reduced as to be no longer an obstacle to going to England, will it not then be necessary to take the same precautions ?—I should be inclined to say that, when the matter became one of urgency, the Secretary of State ought publicly to say that for the future, instead of fixing the number of appointments for the whole of India, there must be a distribution of appointments among the provinces, whereby the result which I think undesirable may be obviated.

2472. You mean there should cease to be an open competition?—That is to say, Natives of one province would not be allowed to compete for appointments in another province.

Mr. *Peacock.*

2473. You have said that if there should be competition in India it would lead to the undue preponderance of some class or caste. Might I ask what caste?—The castes which would suffer would naturally be those who have been behindhand in education. These would be among the Hindus, Rajputs and Kshattriyas in general, and the vast majority of the Mahomedan population.

2474. What makes you think that, if the examination were held in India, the difficulty to which you refer would soon arise?—The fact that the standard of education of the English type attained in the various parts of India and among the various sections of the population is far from equal.

The *President.*

2475. You are aware of the order of the Secretary of State which forbids the employment of Europeans in any post in the Uncovenanted Service, the salary of which is more than Rs. 200? Do you approve of that restriction?—No.

2476. Is it your opinion that there ought to be an admixture of Europeans in this service?—If you mean whether it is absolutely necessary my answer is—no.

2477. But, for instance, in stations where there are Military Cantonments or where there is a large European element?—In that case—yes.

2478. How would you recruit for this service, by limited or open competition or by nomination?—I would have the same system as I recommend for the Statutory Service, *viz.*, nomination, competition and a fixed standard of passing.

2479. Would you apply that system to every grade of the service, for instance to Tahsildars?—Yes.

2480. Would you recruit provincially or from the whole of India?—Provincially, for the same reasons that I object to open competition in India at large.

2481. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—I think that, with due consideration for what are called vested interests, I would distribute them between the other services.

Mr. *White.*

2482. Would you admit to this service the sons of European officers serving here?—Yes; leaving it, as I said before, to the discretion of the Local Governments.

2483. And I suppose you would also take care to see that, owing to their greater command of influence, they did not get more than their fair share of the appointments?—So far as it did not mean tying the hands of the Local Government too much, certainly. I would see that the Government of India had a controlling voice.

2484. Do you not think the administration of the country is better served by ignoring these class distinctions than by fostering them?—It is certainly not desirable to foster them.

2485. Would you exclude Natives of other provinces altogether?—Not by any hard and fast rule. In exceptional cases the Local Government would exercise its discretion even to extending its field of selection to foreign countries.

Sir *Charles Turner.*

2486. You have officiated as Judge of the High Court, and you are of course acquainted with the work of the Appellate Courts of this province presided over by Subordinate Judges; are these Appellate Courts satisfactory?—Their jurisdiction being limited to civil work I think they are on the whole.

2487. Are the Native magistracy as a rule competent to discharge their duties?—As a rule those of them who belong to the modern school, who know English and have taken degrees, compare favorably with the older class of officers who have risen purely by seniority. Their work is fairly well done.

2488. Have you known Native Deputy Collectors of the old school who were charged with the criminal work of large cities in the North-West?—I have.

2489. Was the administration of the city of Cawnpore by the late Mr. Syad Imdad Ali regarded favorably by the people and the officials?—I believe so.

2490. Are there other gentlemen so placed of whom the same might be said?—I think there are some here and there.

2491. Then you do not think that race should by itself be regarded as a ground of exclusion from the exercise of criminal powers?—I think not, because the essential elements of judicial work are practically the same in both branches of the law, namely, civil and criminal.

2492. Is there not perhaps somewhat more strength of character required in the administration of criminal than civil justice in this country?—I should say so, though, in my opinion, one who has not sufficient force of character to discharge the functions of administering justice in the one branch is scarcely fit to exercise them in the other.

2493. Is it not part of a District Judge's duty in this province to supervise the administration of justice by the Civil Courts in his district?—Yes.

2494. And do you not think that the function is of great importance?—Yes, the administrative part.

2495. Do you think that the Native Courts subordinate to the District Court would be equally

Sir *Charles Turner*—contd.

independent in the discharge of their duties with a Native instead of a European District Judge over them?—That would depend upon whether the Native District Judge was competent or otherwise. I should say that the class of men who would ordinarily do well as Subordinate Judges are not necessarily the best men for administrative as distinguished from judicial work.

2496. Then it does not necessarily follow that the best Civil Judge would be the best judicial administrator?—No, not necessarily.

2497. Would it be an objection to the removal of an English Judge from the charge of a district that in his absence the Subordinate Native judiciary would be less independent in deciding suits between the Collector and the people?—Undoubtedly there would be danger of the feeling among the Subordinate Judges that they were without protection in their own line; but of course it would depend greatly on the character of particular individuals.

2498. Would you oppose the scheme which was propounded to us yesterday that the appointment to District Judgeships should be entirely by competition?—I would. I would have selection.

2499. Do you think that at the present time we have sufficient Natives of such force of character that we could put them in possession of all the District Judgeships of this province?—No; but by sufficient I understand the whole or a large number.

2500. Or into half of them?—No.

2501. Do you think you could fill five or six Judgeships from Natives of these provinces?—I am very doubtful. Perhaps two or three might be so filled up, but even then there might be objections arising from difficulties of language.

2502. Suppose the area for selection was extended to the Bar also?—Then the number would be larger.

2503. By how much?—As large again speaking roughly.

2504. I believe education has largely advanced among members of your community?—It has within the last ten years.

2505. And that the wealthier members of that community are now taking advantage of English education?—Yes; under protest from a certain section, which is growing weaker.

2506. Do you think that, say within ten years, there will be many more men of the same stamp as those from whom you consider District Judges could now be selected?—I think there will be. Perhaps fifteen years would be a more likely period.

2507. I believe there are several Mahomedan gentlemen at present practising at the Bar of this province?—There are four or five. They are all young.

2508. Are they young men of promise?—Some of them are, but I do not think that, with one exception, any of them have more than a year's standing.

2509. Is there any branch of the public service which, in your opinion, could, with due regard to administrative and political considerations, be withdrawn from the Civil Service and offered to Natives of this country?—Yes. I think that is the only feasible way in which economy in the administration can be achieved.

Sir *Charles Turner*—contd.

For instance, there are Assistant Magistrates and Collectors who do the same class of work as is done by Uncovenanted officers.

2510. Are there many Natives who are fit to be appointed Assistant Magistrates?—Yes; they would be men of the same class as that from which we have our Deputy Collectors; and supposing, for instance, under one state of things, there are three English Assistants to a Collector, I would reduce that number and fill it from the Uncovenanted Service, as is even now done to a certain extent.

The *President.*

2511. I suppose you are aware that the number of Assistant Magistrates is recruited on a fixed scale depending upon the number of appointments above them. If you reduce the number of Assistant Magistrates, would it not in the course of years affect the flow of promotion to the higher posts?—I suppose it would.

2512. How would you avoid that?—I would rely upon promotion from the Uncovenanted ranks taking the place of such reductions.

2513. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted branches?—I would pay them all equally.

2514. Would you make any distinction in the case of English officers brought to this country?—I maintain that salary, leave and other privileges are nothing more than what might be called wages for certain work done for the public by a particular individual. I believe that the rate of such wages ought not, as a matter of political economy, to vary according to the nationality of the worker when his services are employed in the common labor market. Therefore I hold that distinctions in pay are wrong from political and economical points of view, as regards the first of which I hold that the very fact of paying, say, Rs. 3,000 to a European and Rs. 2,000 to a Native for the same class of work is practically an admission that the extra Rs. 1,000 is paid to him only because he is an Englishman, and that the Government is practically losing Rs. 1,000 a month by not employing a Native instead. That is to say, every Englishman under those conditions represents to the public mind so much loss to the finances of the country. I think this feeling to be undesirable from a political point of view, and the theory is unmaintainable from a politico-economical point of view, for it ignores the law of supply and demand, and does not take the real state of things in India into account. The question would involve a long discussion, but putting the matter briefly I do not admit that the higher capacity for administrative or judicial work is cheaper in a Native than in an Englishman, the field of employment being India.

2515. I understand you to say that you want some Englishmen in the service?—Yes.

2516. Can you get the services of Englishmen for the same pay as you can get Natives for the same class of work?—I believe I could get Native District Judges who would be as competent as English Judges of the same class. It would be necessary to pay them the same.

The *President*—contd.

I may observe that no professions in India, taking the law for instance, recognise any distinctions at all in point of position and fees; and so in medicine.

Sir *Charles Turner.*

2517. Take the case of a young Native who has been educated in England and has come out to this country; what do you think he could live on with economy and prudence in Allahabad for instance?—If he lives economically he must have between four and five hundred a month.

2518. That is presuming he occupies the whole of a house?—Yes, it would be as a rule the condition.

2519. Might he not perhaps share a house?—It is possible, but I would not count upon that.

2520. Is there any other point which you wish to bring before the Commission?—No.*

*Note.—Certain supplementary written papers received from this witness will be found in Section III of this volume.

WITNESS XXX.—*5th January, 1887.*

Examination of the Rajah OF BARAH, Allahabad District.

The Hon'ble Mr. *Quinton.*

2521. You are, I believe, a large landholder?—Yes.

2522. You have a son, a Statutory Civilian, and Officiating Joint Magistrate?—Yes.

2523. Are people generally and are you yourself satisfied with the conditions of admission to the Statutory Service?—Yes.

2524. Would you make any change in the system?—Yes. The Government should have the nomination of the candidates, who should be selected on considerations of family and birth as well as for educational qualifications. The persons so selected should be submitted to a test of fitness and knowledge of law. I would prefer a limited competition.

2525. Should the selected candidates be required to proceed to England for training or should they be encouraged to go?—I would leave them an option. There would be no necessity to offer them any inducements.

2526. If you left it optional, do you think many would go?—Mahomedans would certainly go and, possibly, Hindus also.

Mr. *Stokes.*

2527. Have persons of your class any personal objection to going?—As no member of my class has ever gone I am not in a position to say.

The Hon'ble Mr. *Quinton.*

2528. Would you make any change in the mode of recruitment for the Covenanted Service?—I would raise the age limit to twenty-four.

2529. Do you know anything about the subjects of the examination?—I do not.

The Hon'ble Mr. *Quinton*—contd.

2530. Would you have simultaneous examinations in both countries?—Yes.

2531. Under the orders of the Secretary of State Europeans are not admitted to the offices of Subordinate Judges, Munsiffs, Deputy Collectors and Tahsildars. Do you approve of that?—I would not exclude Europeans.

2532. Would you have Tahsildars and Munsiffs nominated by the Board of Revenue and the High Court, as at present, or would you have a competitive examination?—I would appoint them by a system of limited competition, and Deputy Collectors and Subordinate Judges in the same way.

2533. Would you have these nominations and appointments provincial or from the whole of India? Have you any objection, for instance, to Bengalis or Madrasis filling the office of Munsiffs and Tahsildars in the Province?—I cannot say.

2534. When the same office is held by a Covenanted officer, an Uncovenanted officer or a Statutory Civilian, should the pay be the same or should it differ according to the class of officer?—I would make no distinction.

2535. Is the allowance given to Statutory Civilians on first appointment, *viz.*, Rs. 200 until he passes the departmental examination, sufficient?—It is not sufficient because he has to keep up his position just as a European has.

2536. Have you any suggestion to make as regards furlough?—Natives should have half the furlough that Europeans have.

WITNESS XXXI.—*5th January, 1887.*

E. White, Esq.

Examination of E. WHITE, Esq., of the Covenanted Civil Service, Director of Public Instruction, North-Western Provinces and Oudh.

The Hon'ble Mr. *Quinton.*

2537. You are Director of Public Instruction of this Province?—Yes.

2538. How long have you held that appointment?—Two years.

2539. How many years have you been in the service?—Nineteen years.

2540. Have you had some acquaintance with the men appointed under the Statutory system?—I have never had to deal with them, but I have met many of them and have discussed their qualifications with various people.

2541. Do you think they are superior to those who hold appointments in the Uncovenanted Service?—Certainly not.

2542. Have you any improvements to suggest on the system?—I have no definite scheme to suggest. The real test we require for the higher appointments is the test of worth itself, and therefore I would select Natives for the higher appointments from those who had done good work.

2543. Would you abolish the Statute?—I would retain the Statute and do away with the system of appointing untried men.

Sir *Charles Turner.*

2544. Would not that affect the Covenanted Civil Service?—Probably it would. Possibly it would depreciate the standard of men you get from home.

The Hon'ble Mr. *Quinton.*

2545. Would you alter the Statutory definition of Natives of India so as to include in it Natives of Feudatory States?—If they have done good work under us and shown their capacity for practical work, I would.

2546. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training?—Yes, if they are to be on the same footing as the present class of Covenanted officers.

Sir *Charles Turner.*

2547. Would you retain the Statutory Service at all?—I would abolish it as a Statutory Service, and, from the tried officers of Government, would select those who were fitted for the posts of District Officers and Judges.

2548. Is there any considerable number of men who would at this moment be fit for the charge of a District Judge?—If you mean for criminal, as well as civil, jurisdiction and general superintendence, I should say not.

2549. If you had to make the selection, how many do you think you could find in this Province? Do you think five or six?—I dare say, but it would depend upon the district. There are very few districts in which you could safely put a Native on account of the feuds between Hindus and Mahomedans. I was Joint Magistrate many years ago when there were very serious

Sir *Charles Turner*—contd.

riots between Hindus and Mahomedans, and I think that, had either a Hindu or a Mahomedan been in charge, neither of the parties would have had confidence in his impartiality, and he would have incurred considerable personal risk.

Mr. *Crosthwaite.*

2550. And you do not think the feeling has quieted down of late?—By no means.

Sir *Charles Turner.*

2551. What do you think occasioned the religious excitement which resulted in these more recent outbreaks?—The immediate cause was the concurrence of two festivals.

2552. Have you been able to detect any indications of a religious revival in this Province?—There is a tendency, I think, to that on the part of the Hindus.

2553. The Hindus have now the same freedom as every other creed?—Yes.

2554. And do you think it is in a measure owing to this circumstance that there appears to be a religious revival?—Partly.

Mr. *Crosthwaite.*

2555. Do you think education is displacing that feeling?—I think it is. I think higher education has a tendency to promote toleration (To the Hon'ble Mr. *Syed Ahmed Khan.*) Those who actively engage in these riots are invariably of the lowest class. In many cases the better sort of Hindus and Mahomedans joined and tried to settle disputes.

The Hon'ble Mr. *Quinton.*

2556. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—I have heard many expressions of dissatisfaction with it, but I have not specially inquired into the reasons.

2557. Would you make any change in it so as to give more facilities to Natives?—I should be inclined to restore the age limit to twenty-one for both classes.

2558. Would you make any change in the subjects of examination, or hold a simultaneous examination in India?—I have not given the subject sufficient consideration to enable me to express an opinion.

2559. If the examination should be held in India, would you approve of the candidates being sent to England for passing?—Yes, and, on the supposition that they would be young men selected by a competition, I would compel them to go.

2560. Supposing a competition were held in India, do you think the people of this Province would hold their own against the Bengalis?—No.

2561. Is there any foundation for the opinion that Native youths of nineteen are more advanced in education than studious English boys of that age?—I incline to think that, as a

The Hon'ble Mr. *Quinton*—contd.

rule, Native boys are more given to steady work than English boys. They are not, however, so well trained for this particular examination. There is a great stress laid upon English subjects which I think are better taught in England.

2562. Does the fact of the examination being held in England deprive any great number of Native youths of their chance of entering the public service?—There would certainly be a great many more Native candidates if the examination were held here, and as, in all probability, their abilities would be as great as those who now go home to compete, it is very probable that they would succeed.

2563. Do you know the average age of those who pass the examinations for the B.A.?—The average age is twenty-two and a half.

2564. Have you had experience of educated Natives in actual charge of sub-divisions or Tahsils?—We have two sub-divisions which have never been in charge of Natives.

2565. Have you known them on executive work?—Yes, as Deputy Collectors.

2566. How did they answer?—Very well. I have made inquiries of very many experienced officers, and the general opinion seems to be that the educated Native is very much superior to the old class of official, provided he has received the practical training.

Sir *Charles Turner.*

2567. Do you object to the recruitment of judicial offices from the Bar?—No; I should say the Bar was the proper field.

2568. What sort of reputation for integrity and ability have Native Munsiffs and Subordinate Judges?—The newer class of men have the reputation of being much more honest than the older class. They are also better educated.

2569. Has there been a great advance in education among the Mahomedans within the last few years?—Yes, there has been an advance.

2570. And among Rajputs?—No, I think they are almost stationary.

2571. Do you think an advance in that direction might be made if there were separate institutions for Rajputs and others of high caste?—I think so. The proposal is at present under consideration.

2572. And you think that if carried out it might result in securing students of the Rajput class?—I think so.

2573. Have you had Mahomedan Tahsildars under you?—Yes, several.

2574. And have you found them as efficient as Hindus?—Quite.

The *President.*

2575. What remuneration do graduates generally accept in private employ?—They are employed in the aided schools. For instance, one was appointed the other day on Rs. 90. He was an M.A. I believe I could show many cases of their getting Rs. 50 to Rs. 80, though probably they now consider themselves insufficiently paid.

Sir *Charles Turner.*

2576. Is it not a fact that a great many of the graduates who obtain employment in the Educational Department very soon quit it for the Bar or other employment?—I only remember one such instance, and he was a man who was employed only temporarily.

Sir *Charles Turner*—contd.

The Hon'ble Mr. *Quinton.*

2577. Would you recruit the Uncovenanted Service, that is, Tahsildars, Deputy Collectors, Munsiffs and Subordinate Judges, only from Natives of India or from all subjects of Her Majesty?—I think Englishmen would be useless as Tahsildars. I should be very sorry myself, as Magistrate of a District, not to have a Native Tahsildar. For Deputy Collectorships Englishmen are sometimes necessary, for instance, when there is no English assistant allowed to a Magistrate. In such a case it is desirable to have a Eurasian or English Deputy Collector.

2578. Should the recruitment be by competition, nomination, or by both combined, and, if by both combined, would you confine it to certain classes of offices or have the same system for all?—I would certainly not have competition for Deputy Collectorships. I think the best field of selection for them is among the Tahsildars. For Tahsildars I would keep the present system of selection. We get very efficient men at present, and I don't think we could do better by any other system. For Munsiffs the natural field of selection is the Native Bar; and the Subordinate Judges would, I presume, be recruited partly from them and partly by selection.

2579. Are the pleaders from whom you select your Munsiffs, as a class, as highly educated as Deputy Collectors?—I do not think there is much to choose between them in that respect.

2580. Would you recruit provincially or from all India?—As a rule from the Province itself. (To Mr. *White.*) That would not apply to Eurasians or domiciled Europeans.

Mr. *Ryland.*

2581. Would you absolutely exclude these classes from Munsiffships?—No.

2582. As Magistrate I suppose you have frequently felt the absolute necessity of having a European assistant?—Yes.

Mr. *Crosthwaite.*

2583. Would you have an educational test before selecting for these offices?—We have one at present, but it is a very low one. I would like to see the test of a degree applied to all the higher appointments, that is to say, Deputy Collectorships and Munsiffs, but I don't think it would work in the case of Tahsildars.

2584. Is the Province ripe for such a measure as that?—If you mean has the time arrived to give a decided preference to men of the graduate class, it has.

Sir *Charles Turner.*

2585. Would you raise the educational qualifications for pleaders also?—From a simple departmental view I should be glad to see it done.

2586. Are there many Deputy Collectors and Tahsildars who are unacquainted with English?—Yes, very many.

2587. Do you know many Subordinate Judges and Munsiffs?—I am in the habit of meeting them as I go about the Province.

2588. Do the majority of them speak English?—A great many do.

Sir *Charles Turner*—contd.

2589. Do you know any of the present Deputy Collectors who are qualified to perform the criminal work of a district?—No.

The Hon'ble Mr. *Quinton.*

2590. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches respectively?—That will depend upon the market you draw from. The same salary is not required to induce men to undertake the work when you are drawing from the Indian market.

The Hon'ble Mr. *Quinton*—contd.

2591. Should any distinction be made in the furlough rules applicable to the Statutory and Uncovenanted branches according to the nationality of the officer, or on any other ground?—According to nationality. If the officer is drawn from England you must make special arrangements.

WITNESS XXXII.—*5th January, 1887.*

Examination of Munshi IMTYAZ ALI, Delegate of the British Indian Association, Lucknow.

Munshi *Imtyaz Ali.*

2592. I am a landholder of Lucknow and a member of the Bar of that place. I am also adviser to the Lucknow Talukdars' Association. I represent here the British Indian Association of that place, which consists of over 300 members.

The Hon'ble Mr. *Quinton.*

2593. Are you acquainted with the existing system under which Natives are appointed Statutory Civilians?—Yes.

2594. Is your Association dissatisfied with that system?—Very much so.

2595. Have the Association any alterations to suggest either in the Statute or the Rules?—They wish to see the proportion raised to a third or a half.

2596. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training or only be encouraged to go?—They should be encouraged to go by all means.

2597. How?—After selection and appointment they should be allowed furlough to enable them to go. In the event of appointment, they should be sent to England, their expenses of the voyage and residence being paid for them.

The *President.*

2598. Would you like to see Natives largely employed in charge of districts, for instance?—They should be employed in any post they are fitted for. The time has not yet arrived when Natives may be placed in charge of large districts, but they may be placed in charge of divisions, subject to supervision.

2599. Do the Talukdars' Association, as a body, entertain any objection to members of that class going to England?—Not as a body, but certain individual members do.

2600. Is any dissatisfaction felt by the Association with the existing system of recruitment for the Covenanted Civil Service?—Only as regards the age limit, and they also think that some changes are necessary in the subjects of examination. They think the marks allotted for Arabic and Sanskrit should be the same as those

The *President*—contd.

allotted for Greek and Latin, and that Persian should be added to the subjects. The age limit should be raised to at least twenty-three. They would make no change in the place of examination.

The Hon'ble Mr. *Quinton.*

2601. Should the Uncovenanted Service, that is, Tahsildars and Deputy Collectors, Munsiffs, and Subordinate Judges, be recruited from Natives of India only, or from all subjects of Her Majesty, including Europeans? You are aware that there is an executive order of the Secretary of State which excludes Europeans from any post in the Uncovenanted Service, the salary of which is over Rs. 200 a month. Do you approve of that?—I would retain it, because it is based on the wise principle that the English examination ought to be the only door of entrance for Europeans to this country.

2602. Would you appoint to these posts by nomination or competition, or by both combined?—I would retain the present system of appointment for all classes.

2603. Would you recruit provincially or throw open the appointments to Natives of other Provinces?—The qualifications being equal, the Natives of the Province should be preferred.

2604. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service accordingly as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted branches?—I would have the same pay for all.

2605. Would you have the same furlough rules?—Yes.

2606. Is the pay of a Statutory Civilian, Rs. 200 a month on first appointment, sufficient?—It is not, and to maintain the dignity of his post he is obliged to supplement it by his private means.

2607. Is there any other point not touched by your evidence on which you desire to be heard?—No.

WITNESS XXXIII.—*5th January 1887.*

Pandit *Sri Kishen*

Examination of Pandit SRI KISHEN, Pleader; Vice-President, Lucknow Municipality.

The Hon'ble Mr. *Quinton.*

2608. You are a resident of Lucknow and a member of the Lucknow Bar?—Yes.

2609. And an Advocate of the High Court, I believe?—Yes.

2610. You were born at Lucknow?—Yes, at the time of annexation I was living there. I was educated at Chupra in Behar.

2611. What is the general feeling about appointments to the Statutory Service?—One of dissatisfaction. In the few appointments which have been made in the Province of Oudh, the candidates belonged to rich and influential families, and the educated classes, who naturally look to these appointments for their future prospects, have been left out in the cold.

2612. Are the young men who have been appointed deficient in educational qualifications?—Yes.

2613. Would you make any alteration in the existing system of appointments?—I would abolish it altogether.

2614. What would you substitute for it?—A competitive examination for candidates of the Province. I would treat Oudh and the North-West as one Province for this purpose.

2615. Would you require the selected candidates to proceed to England for training?—I would encourage them to go. I would use personal influence to induce them to go, and when the candidate was not in good circumstances, would pay his passage-money. I would not ask them to go for the purpose of training but only for a sort of continental visit.

2616 You are by descent a Kashmeri Brahman?—Yes.

2617. How long have you been in India?—My family has resided in India since my grandfather's time

Mr. *Peacock.*

2618. Have you come across any of these Statutory Civilians personally?—I know them, but not intimately.

2619. Do you think they are better or worse than the ordinary run of the Uncovenanted Service?—I think the latter are a thousand times superior.

The *President.*

2620. Do persons of your class entertain objections on religious or caste grounds to going to England?—They have such objections, but if they get an appointment perhaps the force of these objections will be spent.

2621. Is it right of the Government of India to encourage people to break their caste or religion?—Certainly not.

The Hon'ble Mr. *Quinton.*

2622. Is any dissatisfaction felt with the present system of recruitment for the Covenanted Service?—Yes, on the ground that Natives of this Province are practically excluded owing to their scruples about sending their sons to England.

The Hon'ble Mr. *Quinton*—contd.

2623. How would you remove this dissatisfaction?—By having a similar examination in India exclusively for Natives of India, and in that case I would substitute Indian subjects for those subjects which are peculiar to Europe.

2624. And in that case would you require the successful candidate to proceed to England for training?—Not as a condition obligatory.

2625. Do you think that those who did not go would make as efficient public servants as those who did?—Oh yes.

Mr. *Stokes.*

2626. What classes entertain caste objections to going to England?—They are felt among the superior classes—Brahmans certainly, and perhaps, also, Rajputs. I am not acquainted with the feelings of the lower classes.

2627. Does a man necessarily lose caste by going to England?—Generally caste feeling on the subject is very bitter. A case has lately occurred in which a very violent storm was raised against certain men here who were suspected of aiding boys to go to England. We have had a solitary instance in Lucknow of a boy going to England apparently against the wishes of his father. When the relations of the boy found that a certain man with English education had encouraged him to go, the whole community banded together and excommunicated him.

Mr. *Peacock.*

2628. If you have an examination in India for Natives exclusively, I suppose it would be for a fixed proportion of appointments?—Yes.

2629. And I suppose you would not allow a Native to go to England and compete?—Yes.

The *President.*

2630. You said you were a Brahman?—Yes.

2631. Have you any objection to your son going to England?—Not personally, but I think the ladies of my family would strongly object.

The Hon'ble Mr. *Quinton.*

2632. Meaning by the Uncovenanted Service, Tahsildars and Deputy Collectors on the one hand and Munsiffs and Subordinate Judges on the other, would you recruit for that service from all classes of Her Majesty's subjects or from Natives of India only?—I would exclude Europeans.

2633. And would you continue the existing system of appointment to these posts?—I should prefer an open competitive examination, preference being given to the candidates of the Province.

2634. And as regards pay?—I would make no distinction in pay, whether the post was held by a Native or a European.

2635. As regards furlough?—I have not studied the subject.

2636. Is there anything else which you would like to bring before the Commission?—Nothing else.

WITNESS XXXIV.—*5th January, 1887.*

Examination of Babu SRI RAM, M.A., B.L., Pleader, Lucknow. Babu *Sri Ram*]

Mr. *Crosthwaite.*

2637. You are a graduate of the Calcutta University?—Yes.

2638. What is your present employment?—I am a practising Pleader in the Judicial Commissioner's Court at Lucknow, where I am also Government Prosecutor. I was born at Lucknow. I am a Khaist.

2639. Do you know anything about the Statutory Civil Service?—I have given attention to the subject.

2640. Is the existing system of appointment for that service approved?—It is not, because (1) those who are selected are not looked upon as having the same status as those who come out from England, and because (2) the gentlemen selected have so far proved failures.

2641. Would you amend the Rules or the Statute?—If the system is to be retained, I would amend the Rules only.

2642. Are you in favor of retaining the Statute?—Yes.

2643. How would you amend the Rules?—More educational qualification should be required from the candidates, and they should be men of good social standing who would command respect; they should also have good moral character.

2644. Would you have competition for these posts?—Yes, limited to nominees.

2645. Would you alter the definition of Natives of India in the Statute?—No; I think it is quite sufficient as it is.

2646. Would you require your selected candidates to go to England for training?—It should be left optional with them, inducements being held out, in the shape of scholarships and passage-money, if necessary.

Mr. *White.*

2647. Would you not reserve some of these appointments for men of proved merit and ability in the Uncovenanted Service?—No, I would not.

Mr. *Stokes.*

2648. Why would you not compel your nominees to go to England?—Because there is a feeling among the higher classes of Hindus in every part of the country against their being sent to England.

2649. Is there any strong objection among your own caste?—Yes.

2650. How many Statutory Civilians have been already appointed?—Three.

2651. Have you practised in the Courts presided over by any of them?—No.

2652. What is your reason for saying they have proved failures?—I have sometimes to do with their judgments when they come before the Appellate Courts, and have not found them up to the mark.

The *President.*

2653. Have you any objection to your own son going to England?—Personally none, but his grandfather, who belongs to the old school, would object. When that obstacle is removed, I shall have no objection to his going.

2654. Would the ladies of your family object?—Of course they would.

Mr. *Crosthwaite.*

2655. Is any dissatisfaction felt with the present system of recruitment for the Covenanted Service?—Yes, because under it Natives of India are practically excluded from the service, (1) on account of the age limit, (2) on account of the expense of the journey to and residence in England, and (3) on account of the subjects of examination being foregin subjects. I would change the age limit to twenty-three as the maximum; the minimum limit should be nineteen. I would have an examination in India for Natives simultaneously with that held in England. For the classical languages of India the same marks should be assigned as for Latin and Greek. The examnations should be identical, and the Indian examination should be held at one centre only. There should be one general list for both examinations from which the candidates would be appointed in order of merit.

2656. Would you make any apportionment of appointments between Provinces or sects or races?—No.

2657. Should candidates who had passed the Indian examination be required to proceed to England for training?—I would only encourage them to go.

2658. Would you train them in India?—They would have to undergo a term of probation here for two years, on the same lines as that undergone by English candidates.

The *President.*

2659. If you had only one list, do not you think the candidates, who were residents of these Provinces, would be practically excluded?—For a few years perhaps.

Mr. *Crosthwaite.*

2660. Would you recruit for your Tahsildars, Deputy Collectors, Munsiffs and Subordinate Judges from all classes of Her Majesty's subjects or only from Natives of India as defined in the Statute?—From Natives of India as defined in the Statute.

2661. Would you recruit by competition, or by nomination, or by both systems combined?—Byboth combined.

2662 You would nominate the candidates and make them compete afterwards?—Yes.

2663. Would you apply that system to all classes of offices?—No. The candidates to be selected for the executive appointments should be those only who had passed a certain competitive examination, and those selected for the judicial appointments should be members of the Bar, and in their case there should be no examination. I would divide the service into judicial and non-

Mr. *Crosthwaite*—contd.

judicial. The judicial branch should extend up to and include District Judgeships, which should be given to the Bar, including pleaders in that term. For the non-judicial appointments I would have competition among nominees, the nomination being made by the local Government; and selections from the Bar for the judicial posts should be made by the highest Civil Court in the Province, subject to Government sanction.

2664. Would you recruit for these services provincially or from all India?—Provincially.

2665. If the existing Statutory system is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—Yes.

Mr. *Ryland.*

2666. Why would you exclude persons not Natives of India from the Uncovenanted Service?—Because the nature of the appointments require that the holder should have a thorough knowledge of the language, habits and manners of the people.

Mr. *Peacock.*

2667. You say you would reserve the judicial appointments up to and including District Judgeships for barristers and pleaders. Would you exclude Europeans from these appointments also?—No.

2668. Then you qualify your previous answer to that extent?—Yes.

Mr. *Ryland.*

2669. Have you any experience of Europeans holding executive appointments in your Province?—Of two or three.

2670. And are they found to be not so competent as Natives to hold their appointments?—Speaking according to my personal experience as a pleader they are not so competent as Natives of the Province.

Sir *Charles Turner.*

2671. Do you or do you not consider it an advantage to Subordinate Native Judges and Magistrates to have a European officer at the head of each district to protect them in their independence?—Not where the Native Judges are competent.

2672. Do you know many Native gentlemen who are competent to fill an independent position?—I know several. (Names two.)

2673. One of these gentlemen has been Judge of Rai Bareilly since 1879, and the other is about to be appointed?—Yes.

2674. Both of them have actually held the office of Judge?—No.

WITNESS XXXV.—*6th January 1887.*

Examination of Raja LUCHMAN SINGH, Deputy Collector, Bulandshahr.

Raja *Luchman Singh.*

The Hon'ble Mr. *Quinton.*

2675. What are you?—I am a Deputy Collector of the first grade; I have been forty years in the service; I entered originally as a Translator in the Government Secretariat.

2676. When did you become a Deputy Magistrate and Deputy Collector?—In 1856.

2677. Since then you have served in the same capacity?—Until within the last three years.

2678. Do you know anything about the Statutory Civil Service? Have you any friends in it?—Yes.

2679. Who?—Jowalla Pershad.

2680. Is the present system of appointing to the Statutory Service approved?—No.

2681. What are the grounds of dissatisfaction?—First it was supposed that a large number would be taken from the Uncovenanted Service, men who had served long and well; and also that there would be some test for the new men taken.

2682. You mean educational?—Yes. These are the two chief objections.

2683. Is there no educational test at present?—They are not required to pass any examination.

2684. Are the men appointed backward in educational qualifications, and would you alter the rules or the Statute?—I would lay down that a certain number should be taken from the Uncovenanted Service, and a certain number appointed by Government; for political purposes Government should be allowed to appoint any one, even a man who cannot read or write, but as a rule there should be a proper system of making appointments to the Statutory Service.

2685. How would you appoint them?—By nomination and competition among selected candidates.

2686. Do you think in the North-Western Provinces you would get a sufficient supply of qualified nominees to make the competition between them real?—I think there would.

2687. Would you alter the definition of "Native" in the Statute in any way?—I think the definition is wide enough; I would not alter it in any way.

2688. If the Statutory Service is retained should candidates be required to proceed to England for training?—I would make it optional for them, but I would offer encouragement and inducements that would compel them to go in their own interest.

2689. Do you think many would go?—I think, after five or ten years, they would.

Mr. *Nulkar.*

2690. What caste are you, may I ask?—I am a Rajput.

2691. Are Rajputs and other such castes as forward in point of education as other classes in this Province?—No, they are behind others.

2692. Why are they backward, can you assign any reason?—Their traditions are more for fighting, they are a more warlike race, they dislike education, but every class has now commenced to educate its children.

Mr. *Nulkar*—contd.

2693. For political purposes you would allow Government to employ a man even if he did not know how to read or write. Do you say Government might appoint such a man to the Statutory Civil Service?—Yes.

2694. To do what? What could he do as a Civilian, going to the bottom of the list on Rs. 200?—I do not say that it should be done as a rule, but when there is political danger. Then people of the Rajput and similar races will command more respect in this part of the country than Bengalis or Madrasis.

2695. But with this Statutory Civil Service Government has already that power?—It is my opinion that Government should retain that power.

Mr. *Peacock.*

2696. You have said that you would alter the rules so as to make it compulsory that a certain number of the Uncovenanted Service should be selected to fill these appointments in the service? What proportion would you reserve for the Uncovenanted Service?—One-half.

2697. Do you propose to subject these Uncovenanted men to examination or not? No, those in service will be put in without further examination; the only condition should be a good knowledge of English.

2698. The men who are selected by the local Government for first appointments, and who are not members of any service, will be subjected to an examination?—Quite so.

The Hon'ble Mr. *Quinton.*

2699. You became Deputy Collector and Magistrate in 1856?—Yes.

2700. Where were you in the mutiny?—I was at Etawah then.

2701. Were not the rebels there repulsed?—Yes.

2702. Were all the people there good scholars?—No they were not.

2703. Was that such a political emergency as you contemplated in your answer just now?—Yes, if I had been permitted I could have collected five hundred men from my clans-people. I am a Jasdan Rajput.

Mr. *Crosthwaite.*

2704. Have you served with any Civilians appointed under the Statute?—No, I am a resident of Agra.

2705. Have any served in your district?—No.

2706. Would you have any probation of the selection of candidates?—No, no probation except for departmental examinations.

Mr. *Crosthwaite*—contd.

2707. Why would you have no probation?—Of those already in the Government service, Government know the qualifications.

2708. I am speaking of the new candidates?—They must pass an examination.

2709. After that would you not keep them a year, say, on probation before confirmation?—No, if there was a college established it would be good to send them there, but I would have no other kind of probation. It would take a man a long time to decide whether he would remain or go.

2710. Are not Tahsildars appointed on probation unless they have officiated before?—Yes, they are.

2711. Has any objection been taken to that?—If they were not appointed on probation perhaps it would be considered more satisfactory.

The Hon'ble Mr. *Quinton.*

2712. Who would consider it more satisfactory?—The Tahsildars themselves.

2713. In the interest of the administration would you keep inefficient men or not?—A departmental examination would be enough for them.

Mr. *Crosthwaite.*

2714. But supposing that one of the men appointed proved himself incompetent, too lazy, or without energy, though he might pass the departmental examination; there have been some such cases?—Yes.

2715. Would you not dismiss him?—Of course he should be dismissed.

2716. You have no objection to dismissing inefficient men?—No.

Sir *Charles Turner.*

2717. You have, I believe, first class Magisterial powers?—Yes.

2718. How long have you exercised those powers?—Twenty-eight years.

2719. Have you ever had Magisterial charge of a large city?—No, I had charge of a Pargana or Tahsil under the Magistrate.

The *President.*

2720. Are the objections that are felt as to going to England by your class based on the grounds of caste and religion?—I should say rather on custom. There is something in the Shastras that says that any one going across the sea is outcasted.

2721. They are based more on custom?—Yes. on custom.

2722. In nominating your men for competition what qualifications would you look for in your nominee for the Statutory Service?—His age should not be above twenty-five; he should know how to read and write at least equal to the inferior classes; his character of course Government would look after; physical fitness a medical officer would certify.

2723. Would you give a preference to members of families of tried loyalty and distinguished service?—They are all supposed to be in some respects good men, whether for loyalty or distinguished service.

2724. Supposing a man going to England to compete for the Civil Service failed but showed in his examination that he was a highly educated man; would you be disposed to provide for him in the Statutory Service when he came back?—I think so, if he also competed with the Statutory men. It would be very easy for him to compete.

The *President*—contd.

The Hon'ble Mr. *Quinton.*

2725. As to the Covenanted Civil Service, which is recruited by competitive examination in England: is there any dissatisfaction that you know of existing with regard to that mode of recruiting them?—Yes.

2726. On what grounds?—First as to age: the age is too low.

2727. You would raise the age?—Yes, it ought to be about twenty-three at least.

2728. Is there any other point on which there is dissatisfaction?—Yes, the marks given to European classical languages are rather high, while for Indian classics they are low: they should be more equal. The marks for the vernaculars should be raised to the same standard as for the English language. For the North-West it should be Hindi and Urdu; for Bengal, Bengali; for Bombay, Marathi. Something more should be given than the present number: they should be equalized with English. For English and Indian History there should be the same marks.

2729. Are there any other disadvantages that candidates labor under?—Yes, their going on the mere chance of passing.

2730. How would you remedy that?—I would hold an identical examination in India.

2731. What would be the effect of holding an examination in India? Would the number of candidates who go up be larger than those who now go to England?—I would make certain rules that those who competed in India should satisfy certain qualifications. No one who is not an F. A. of the University should be taken; the age as I have already said should not be more than twenty-three, and it should be ascertained if the candidate was physically fit. With these qualifications, candidates might be examined in India.

2732. If you brought the standard so low as F. A. would you not have a great influx of candidates who would have no hope of passing?—If you raise it, I think in the North-Western Provinces you would have very few men to compete.

2733. Would men who were not up to the B. A. standard have the faintest chance of getting in?—We have not sufficient B. A.'s I think; in a few years we shall have more.

2734. You say the examination should be the same. Would you have one list for candidates who passed in England and one for India, or should all be put in one list?—When the subjects are the same it would make no difference.

2735. You would have a list of, say, the first twenty men, no matter whether they passed at the English or Indian examination?—I would have one list for all, but one list for each Province, so that a man who passed from one Province should be appointed to that Province even if his name stood not so high in the list, that is, if he had passed the qualifying standard.

2736. Suppose there are twenty appointments, in the list twenty men passed, but that the North-West man passed, say, twenty-fifth; would you take the North-Western Provinces man though he did not pass in the first twenty?—I think there should

The Hon'ble Mr. *Quinton*.—contd.

be a certain number of marks that may be considered as passing marks. If he has obtained these marks he should be a passed man, whether he was twentieth or not.

2737. Is that a competitive examination?—Yes, competitive with some new conditions.

2738. If an examination be held in India should the successful candidates be compelled to proceed to England to pass their training?—Inducement should be held out to them, but they should not be compelled to go.

2739. In what form?—By giving them free passages and personal allowances in addition to the salary of their post.

2740. What training do you think they should undergo in England?—I would have the same training for candidates who go home, as for men who pass in England.

2741. Would you give any advantage to these over other men?—Yes, by increasing their pay.

Mr. *Nulkar*.

2742. You say that those who pass in the examination to be held in India should be only encouraged to go to England, and should undergo the same training as the European candidates are subjected to. You would not insist upon that condition?—No.

2743. And yet you expect those that do not go to England to occupy the same position as those who have an English training, is that right?—Yes, I would give them some advantage, that is those who go to England for their training?

2744. What advantage would you give them?—A personal allowance over and above their salary. To the others who remain I would give a lower salary.

2745. Then you would divide the Civil Service between those who go to England for an English training and those who do not?—Let the salary be one for all, but those who go to England and get a training in England should get an allowance in addition.

2746. Under your plan there would be two divisions of the Civil Service—those who go to England and have an English training along with English candidates, and those who decline to go to England?—Yes.

2747. You would divide the work into two classes?—No, there will be no other difference but that of pay.

2748. But that difference would make a first and second class, that is, a division of the service for the purpose of pay?—Only for the purpose of pay; and that allowance I would call a personal allowance.

2749. The present competitive examination is held for a number of vacancies to be filled up for that year. Are you aware of that fact?—No. I have not studied it.

2750. Between thirty and forty for the whole of India; and the annual examination you now propose to hold in India is an examination to fill up these vacancies. These vacancies are now filled up from the top of the list of candidates who have passed the examination, no matter what number of marks they get. If there are thirty vacancies the thirty men at the top of the list get in. Such being the competitive system, how do you say that the first men should not get in; is that compatible with the present system of free competition?—I did not understand the system.

Mr. *Nulkar*.—Contd.

Sir *Charles Turner*.

2751. What is the scheme you propose?—I desire that in the examination there should be certain minimum marks, and that those who got these marks should be considered as passed; that the appointments should be given to those who obtain the highest marks, but that candidates from particular Provinces, if they obtained the qualifying marks should get the appointments in these Provinces.

2752. Even to the supersession of others?—Yes, if there are no men from that Province, then others may be appointed.

2753. Supposing there are only twenty appointments, that a hundred candidates have passed by obtaining the qualifying minimum of marks, that North-West candidates in order of merit have obtained only the ten lowest places in the list. Do you mean that for appointments in the North-Western Provinces you would pass over the whole ninety and go down to these ten men?—That is what I mean.

The Hon'ble Mr. Justice *Mitter*.

2754. According to your scheme then supposing that the men who obtained the minimum of marks belong to several Provinces sufficient to fill up all vacancies in those Provinces, candidates who had obtained the highest marks might fail to get any appointments at all?—My scheme is for Indian appointments.

2755. If twenty-five appointments are competed for and the twenty-five who have obtained the highest marks were Europeans, while the twenty-five next in order came from the five different Provinces of India; if you take the second batch of twenty-five and fill up all the vacancies, then the first twenty-five on the list who are Europeans according to your scheme, should not have any appointments at all: is that your scheme?—No, those who pass in England or remain there for two or three years' training may be appointed to any Province.

2756. How do you allot the appointments first? Suppose fifty men passed in England and in India. The first twenty-five are all Europeans passed in England, the second twenty-five Provincial men from different Provinces, passed in India, the second batch being quite willing to go to England for training: how would you apportion the appointments?—Those who pass in England or who go to England after passing in India should have the preference and may go to any place they may be posted to.

2757. Do you propose that the second batch if quite willing to go to England should be preferred?—Yes.

2758. Then the first batch who passed in England would have no appointments according to your scheme?—My scheme is, that there should be an examination in England and in India simultaneously. Subjects to be the same; candidates passing in England or who pass in India and go to England to qualify themselves according to the order of merit to be posted to any Province, but those who pass in India and do not go to England should be posted to their own Province, if they have secured the minimum of marks.

The *President*.

2759. Would you in the examination in India admit Europeans and allow them to compete equally ?—Yes.

2760. Can you say whether Natives would go freely from the North-Western Provinces to England at present ?—Not at present.

2761. Can you say what classes in particular have special objections to go to England ?—Brahmans and Rajputs. Those whose education is not sufficiently high.

2762. Would an open competition in India be likely to give decided advantages to any particular class of the population or to one Province over another province ?—I think Bengal would beat us all.

2763. Do you think, if there was an open competition in India, that men of good family would go in readily to compete or would they be afraid ?—I do not think there is anything to deter them from going.

2764. Do you think there are, in the ranks of the Uncovenanted Service in the North-West Provinces, many officers of proved merit and ability whom it might be desirable to promote to Covenanted posts ?—I think there are some.

2765. A considerable number ?—Yes.

Mr. *Ryland*.

2766. If there were considerable numbers of men in the Uncovenanted Service who might be promoted to the Covenanted ranks, would you still consider it necessary to keep up the Statutory Service ?—I meant they might be promoted to the Statutory Service; if the Statutory Service was abolished, they should be promoted to the Covenanted Service.

2767. Suppose they were now admitted into the Covenanted Service, would you still retain the Statutory Service ?—I think for political purposes I would.

The Hon'ble Mr. *Quinton*.

2768. Do you think the Uncovenanted Service should be thrown open to all natural-born subjects of Her Majesty ? At present it is practically confined to the Natives ?—I think it should be thrown open to all natural-born subjects of Her Majesty.

2769. By the Uncovenanted Service we mean in these provinces Deputy Collectors, Tahsildars, Subordinate Judges and Munsiffs ?—Yes.

2770 You would throw them open to all natural-born subjects ?—Yes.

2771. Would you appoint Munsiffs, Tahsildars and Deputy Collectors in the same way as Subordinate Judges ?—No, I would have different methods. I would appoint Deputy Collectors partly from the lower grades by promotion and partly by competition among nominated candidates. Tahsildars I would take partly from the lower grades, Peishkars and others; the remainder by competition and nomination, the same as for Deputy Collectors. Munsiffs should be taken from the Bar or from some of the ministerial officers of the Civil Courts, such as Sheristadars, Translators and others. Subordinate Judges to be promoted from Munsiffs. I would not make appointments from the Bar direct to Subordinate Judgeships.

2772. Should appointments to the Uncovenanted Service be made provincially, that is to say, would you appoint a man of another province to posts in the North-Western Provinces ?—I would make it provincial.

The Hon'ble Mr. *Quinton*—contd.

2773. If the Statutory Service, for which one-fifth of the appointments held by Covenanted Civilians are now reserved, was abolished, what would you do with that one-fifth ?—I would throw half back to the Covenanted and half to the Uncovenanted Service.

Mr. *White*.

2774. Can you tell me what you mean by a natural-born subject of Her Majesty ?—Those born in India and those not born in India if they live here for a certain time.

2775. You say you would recruit the Uncovenanted Service provincially. Suppose a large number of candidates who are natural-born subjects of Her Majesty were not born in India, how would you deal with them; you could not make provincial appointments under such circumstances ?—Give them the option of the Presidency they would like to belong to. I would ask them to what province they belong, or to what province they desired to belong.

2776. If they filled up all vacancies how would you appoint provincially ?—If qualified for the post they would get in.

2777. But supposing all vacancies filled up, how would you provide for provincial appointments ?—I would ask to what province they belong, and would give them the choice of one province or another.

2778. You say that you would recruit provincially for the Uncovenanted Service, that is, you would appoint a man of a province for service in that province. Then you introduce another element of men who do not belong to any province in particular. Supposing there were three vacancies, and that in this nomination and competition two Europeans got appointments, then there would be only one left for the people of the province ?—No, I said that if an European British subject came to pass as a candidate, I would ask him what province he would take. I would not exclude Europeans if they had lived in India for some time, but they must have resided for some time.

Mr. *Ryland*.

2779. You said you would give the one-fifth now reserved for the Statutory Service, one-half to the Covenanted Service and the other half you would retain for the Uncovenanted Service ?—Yes.

2780. Would that be a sufficient inducement to the Uncovenanted Service ? The appointments to the Statutory Service are one and two in alternate years. That would reduce the number to half ?—If one or two men were taken from the Uncovenanted Service that would be satisfactory.

2781. You say you would allow Europeans to compete if they resided for a certain time in a particular province. What would be sufficient ?—Say, one year.

2782. Would you allow a candidate who resided for one year to compete at the provincial examination ?—No, in so short a period you could not call him a Hindustani.

Mr. *Ryland*—contd.

2783. What is your reason for not appointing Subordinate Judges from any other profession than Munsiffs?—Men trained as Munsiffs must be considered better qualified than others, as a general rule.

2784. Even if the head of the administration is satisfied that better men can be got from the Bar than from Munsiffs, you would not allow appointments to be made from the Bar?—That depends upon circumstances.

Mr. *Crosthwaiate.*

2785. From what class are the present Munsifs appointed?—Mostly from ministerial officers or from the Bar.

2786. Which make the best officers?—I cannot say.

2787. You say you would recruit the Uncovenanted Service provincially. Would you apply that as far as regards Natives of these provinces?—I advocate nothing more than a preference. Preference should be given to them in the Judicial Department.

2788. Why do you wish to recruit provincially for other appointments?—In the executive, men of the province know the customs, manners, and traditions much better than a foreigner.

2789. That is the only reason?—And I think sometimes a man may command more respect if of a good family.

The *President.*

2790. Do young men of good family readily enter the Uncovenanted Service in the North-Western Provinces?—Yes, they do, for Deputy Collectorships and Tahsildarships.

2791. Do the professional classes, pleaders, readily accept Munsiffs?—Yes, they do.

2792. Do you get good men by the existing system of recruitment for the subordinate ranks of the judicial and executive service? Are the subordinate ranks of the judicial service efficient?—I think so.

2793. Is there any improvement of late over former times?—Of late there has been a larger English element entering; since then there has been some improvement.

2794. Suppose, for instance, the Civil Service proper was reduced in numbers, and those appointments taken from the Covenanted Service were amalgamated with the higher appointments in the Uncovenanted Service, so as to make an enlarged local service; would that be an improvement?—I think it would be.

The Hon'ble Mr. *Quinton.*

2795. Do you think that any distinction should be made between the pay drawn by holders of the same post as it happens to be held by an Uncovenanted officer, a Covenanted officer, or a Statutory Civilian?—I think for the same post there should be the same pay.

2796. But you told us just now you would make some distinction?—For those who pass in England in the shape of a personal allowance, yes.

2797. On what principle would you give men passed in England a personal allowance?—For his better qualifications.

2798. As regards furlough rules would you make any distinction between the Statutory and Uncovenanted branches, according to the nationality of the officer, or on any other, and what ground?—I have not studied that subject very well.

The Hon'ble Mr. *Quinton*—contd.

2799. As regards the pay that is given to Statutory Civilians on starting—young men who enter on probation—is it enough for a young man on starting in that position?—I do not think it is sufficient.

2800. What would you give him?—To commence with at least Rs. 250.

2801. Why?—Because they are Assistant Magistrates in the higher service; and Tahsildars get already more than that.

2802. Tahsildars of the higher grade get Rs. 250?—Yes.

2803. Do you think they ought to be paid as well as the higher grade of Tahsildars and the lowest grade of Deputy Collectors?—Yes.

Mr. *Nulkar.*

2804. You say you would pay those who do not go to England for education less, and yet you say both should be eligible for promotion?—Yes.

2805. Why would you pay more to those who go to England, because you consider them better qualified all round, would you invest them both with the same responsibilities of office or would you make any difference?—For the post their knowledge and qualifications are sufficient, but one is of higher qualifications than the other. They can do the work the same as Englishmen; but English competition men are supposed to be superior.

2806. But having one of high and the other of low qualifications, would you make no difference in the responsibilities of the office to which they are to be appointed?—No, I would not, because I think they are both qualified, though one is more highly qualified than the other.

Mr. *Crosthwaite.*

2807. In what style do Statutory Civilians live? Do they live in stations generally like English officers?—Yes, in the English style; and they adopt English dress also.

2808. Is that the case also with Deputy Collectors; do they generally live in the English style—I mean, do they take houses in the English station, or do they generally live in towns or cities?—Not generally, some may; not as a rule.

2809. Where do they live as a rule?—In the city with other Native gentlemen.

2810. Their expenditure is not so great in that way as that of Statutory Civilians?—Except in the matter of rent. They pay less house-rent; in other respects I do not see any difference.

2811. What difference would the house-rent make?—Some ten or twelve rupees a month, not more.

2812. What is the general rent of Bungalows in English stations?—That depends upon the station and upon the size of the house; if there are more houses in a station than gentlemen to occupy them they are very cheap. But taking the average, I think Rs. 30. For a house in a Native town or city about Rs. 15 would be the rent.

2813. Can you tell me in any other way how the expenses of the Statutory Civilian are increased owing to his position? I do not mean on account of luxuries but in order that he may

Mr. *Crosthwaite*—contd.

live as gentleman, respectably and well ?—I do not think there is any other cause for increased expenditure.

2814. Have you any idea what the expenses of European officers are ?—Yes, much higher.

2815. You think they are necessarily higher ?—Yes, necessarily higher.

2816. When you say Rs. 200 is too small a salary, you mean solely with reference to the pay of officers of other grades, not that it is too small for the officer to live on as a gentleman ?—That is my meaning.

2817. What is the highest pay of a Deputy Collector ?—Rs. 800.

2818. A Deputy Collector, even when first appointed, is generally a man of experience and useful ?—Yes.

2819. When a Statutory man is first appointed, is he of much use ?—No.

2820. Is there then any reasonable ground for paying him the same as an experienced and useful man ?—The grievance is not so much with reference to the pay of Deputy Collectors but of Tahsildars who are subordinate in position. A subordinate's pay should not be higher than that of the officer above him.

Mr. *Nulkar.*

2821. You say that those who live in bungalows in European style, instead of in cities, have to spend a little more, because they live in bungalows. Have they not to furnish their bungalows in a more costly style than city houses ?—No, here they use the same kind of furniture.

Mr. *Nulkar.*—contd.

2822. Have they not to employ more servants than the others ?—No, I do not see why they should.

Sir *Charles Turner.*

2823. Do the young Statutory Civilians in fact live in the same manner as the young Civil Servants ?—Yes, they do.

2824. They live in the same style and dress in the same sort of clothes ?—Yes.

Mr. *Peacock.*

2825. I understood you to say that supposing a Statutory Civilian who had been to England for the purpose of training was appointed to a post of Assistant Magistrate, you would give him a personal allowance over and above the pay of the Assistant Magistrate, that is to say you would *pro tanto* increase the pay of the Assistant Magistrate, or raise the pay of the appointment ?—Yes.

The *President.*

2826. Is there any point on which you would wish to supplement the evidence you have given before the Commission ?—No.

WITNESS XXXVI.—*6th January, 1887.*

Examination of H. C. NIBLET, Esq., Pleader, High Court, Allahabad. *H. C. Niblet, Esq.*

The *President.*

2827. You are a Pleader of the High Court?—Yes, of thirteen years' standing.

2828. Have you considered the question of the admission of Natives to posts reserved for Covenanted Servants?—Yes.

2829. Have you had opportunities for knowing the feeling that exists among Natives?—I think I have.

2830. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Service approved?—I think not.

2831. Is the feeling of disapproval general or confined to special classes?—From my information it is confined to the intellectual classes.

2832. What are the grounds of dissatisfaction?—There being no principle of selection, no examination; it is rather the system of nomination that they do not approve.

2833. Is there any objection to the Statute?—I am not aware of any.

2834. Is there any objection to the definition "Native of India" contained in the Statute?—I think not.

2835. Have you any amendment to propose in the rules to which objection is taken or in the Statute?—No, I have not.

Mr. *White.*

2836. You know the definition of "Native of India" in the Statute?—Yes.

2837. That it includes Eurasians and domiciled Europeans, born in the country, of parents habitually resident in India?—I so understand it, but it has not been interpreted that way.

2838. Has any person been appointed to the Statutory Service in these Provinces who belonged either to the Eurasian or domiciled European class?—No, none.

2839. Can you assign any reason for it?—The reason is, I should think, that the policy hitherto has been to appoint the Natives so as to keep down their murmurings.

2840. That was a violation of the Statute?—As I understand it, but I do not know exactly what is the reason that Natives only have been hitherto appointed.

2841. But domiciled Europeans and Eurasians are entitled to a share in it?—I believe so.

2842. They have not been appointed?—They have not been appointed.

2843. What is the object of retaining the Statutory Service in your opinion and the opinion of the people?—The Statutory Service is right, but the Statute is not carried out. I would make the Statute apply to all subjects of the Indian Empire. They should be appointed by open competition without nomination.

Sir *Charles Turner.*

2844. Would you appoint District Judges in that way?—I do not think there is any objection. I have none.

Sir *Charles Turner*—contd.

2845. Would you appoint persons to District Judgeships by competition? The Statute provides for appointments to posts reserved for Covenanted Civil Servants. Among those posts are District Judgeships. Would you select men for District Judgeships by competition?—No, I would appoint them from men already appointed by promotion.

2846. From what classes?—From the Statutory Civil Service.

The *President.*

2847. Having got your selected candidates for the Statutory Civil Service by competition, would you encourage them to go to England?—I would encourage them to go, but I would not compel them.

2848. Is there any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—I think so.

2849. What are the grounds of dissatisfaction?—In the first place, that Natives do not get a proper share; next, that the age is too low, that the Covenanted officers that come out are young and have no experience of the country, and should not at first exercise powers.

2850. What age would you fix for Native candidates with a view to remove the disadvantages complained of?—Twenty-one at least.

2851. Is there any other disadvantage besides age?—Yes; owing to poverty Natives are unable to meet the expenses of going to England.

2852. How do you remove that?—By holding a similar examination in India.

2853. Would you have one centre or more than one?—One centre.

2854. Would you make the subjects of examination the same as in England?—The same with certain exceptions that would put the Sanskrit and Arabic languages on the same footing as French.

2855. Would you make the examination the same?—With the above exception.

2856. Would these examinations is India be open to Europeans as well as Natives?—I would open them only to Natives of India as defined in Statute 33 Vic., Chapter 3.

2857. And would you have the examination in India open to Englishmen?—It should be open to every Native under the Statute, the people of India itself.

Mr. *Nulkar.*

2858. Would you encourage them to go to England?—I would encourage them.

2859. Suppose they did not go?—I would not force them.

2860. Would you include all who passed in England and here in the same list?—Yes, with certain differences.

Mr. *Nulkar*—contd.

2861. What differences?—Those who pass in England I would give an extra allowance which I would call a personal allowance, say twenty-five or thirty per cent. above the pay of those who passed in India. I would restrict gentlemen coming from England to certain appointments, which should not be open to those who passed here.

2862. Practically you would divide the Covenanted Civil Service into two classes, that is, divide the appointments in pay?—No, I would divide the appointments only, have a special department into which Europeans would go, I mean such as District Magistrates and other high posts in the Executive Department: I would keep those appointments for those who passed in England.

2863. You would divide the posts now reserved for the Covenanted Service into two classes, one to which candidates who pass in India are eligible and the other to which Englishmen who pass in England are eligible?—Yes.

2864. What are the posts to which you would appoint Englishmen?—To the posts of Magistrates and higher executive appointments.

The *President.*

2865. Would you recruit for the Uncovenanted Service only from Natives of India as described in Statute 33 Victoria, or from all natural-born subjects of Her Majesty?—I would confine it to the Natives of India as defined in the Statute.

2866. Do you approve of the orders of 1879 which exclude Europeans from offices with salaries of Rs. 200 and upwards—Europeans defined as Natives by the Statute?—Yes; I approve of them.

2867. Is it in your opinion necessary that there should be a proportion of Europeans in the Uncovenanted Service?—No; I would throw it open to competition. I would exclude Europeans from the competition. I think they are not necessary in the Uncovenanted Service.

2868. What kind of competition would you propose for the Uncovenanted Service, open or limited?—Limited to Natives as defined in the Statute 33 Vic., Chap. 3.

2869. But open to all defined in the Statute?—Yes.

2870. Would you recruit provincially or throw the competition open to all India at once?—I should have an examination in the centre of each Province, to be open to all the Natives of India as defined in the Statute.

Mr. *White.*

2871. I do not mean to make a personal reference, but are you aware of any instance in which a Native of India under the Statute, that is, either a Eurasian or a domiciled European, has been refused a Munsiffship on the ground that he did not come under the definition of "Natives of India"?—Yes; I know one who was refused a judicial appointment.

2872. You are quite certain?—Quite certain.

2873. And that was because he did not come under the Statute?—Yes, I think so.

Mr. *Ryland.*

2874. Were you born and educated in this country?—Yes, in the North-West; I was educated by private tuition in a private school.

Mr. *White.*

2875. Were you refused a Munsiffship on that ground?—Yes, I was twice refused one.

The *President.*

2876. On the ground that you were not a Native of India as defined in the Statute?—Once because I was not a Native, and the other time because pure Natives only were eligible.

Mr. *Ryland.*

2877. Then that order of the Secretary of State operated prejudicially in your case also?—Yes, and I had this reference up at the time.

2878. Was that an order simply of the local Government or did it proceed on any instructions from England?—I was refused by the High Court of these Provinces.

Sir *Charles Turner.*

2879. In what year was that?—The last time was in the year 1883.

The *President.*

2880. Have you got the terms of the order there?—Yes, I have; the terms of the order were the same as were mentioned to me personally. The order is not to the effect that I am refused on that ground.

2881. On what ground were you refused?—I was told so personally.

2882. What grounds does the order state?—The order runs "the Court is not prepared to accede to his request." It is a memorandum on my application.

Sir *Charles Turner.*

2883. That was on one occasion; you say you were refused on two occasions?—Yes, in 1875 I was told so; there was no written order in that case. I was told by the then Chief Justice that he could not appoint me, that, though he was of opinion that Europeans of my status should occasionally be appointed, the other Judges were not with him.

2884. On the second occasion who mentioned to you the grounds on which your application was refused?—Shall I mention the name?

2885. Was it from a person who had authority to make communications to you or from a clerk in the office?—No, one of the High Court Judges.

Mr. *Peacock.*

2886. Did I understand you rightly to say in recruiting the Uncovenanted Service you would do so by open competition held in each Province, but that at each provincial examination Natives of India should be admitted?—Yes.

2887. You would not confine it to particular Natives of the Province where the examination was held, but in the North-West you would admit to the examination Bengalis, Parsis, or any one else?—Yes.

The *President.*

2888. I suppose you have nothing to say regarding pay and furlough as between Natives and Europeans?—No.

2889. Is there any other point on which you would wish to supplement your evidence before the Commission?—No, nothing.

WITNESS XXXVII.—*6th January 1887.*

Examination of Pandit JOWALA PERSHAD, of the Statutory Civil Service; Assistant Magistrate, Gorakhpur. Pandit *Jowala Pershad.*

Mr. *Crosthwaite.*

2890. You are a Native of Moradabad?—Yes.

2891. What is your caste?—Maratha Brahman.

2892. Where were you educated?—At the Benares College mostly, and for some years at the Muir Central College. While at the Benares College I was brought up under the Hon'ble Syad Ahmed.

2893. You did not go to England?—No.

2894. What degree did you take?—B.A., first division.

2895. When were you appointed to the Statutory Service?—After taking my degree I went in for the Pleadership Examination and passed in the upper subordinate grade; I missed the High Court by a few marks because I was ill. That was in 1881. I was then appointed a Deputy Collector in 1882. I passed all my examinations that very year and was posted to Ballia, was transferred to Jhansi, from thence to Pertabgarh in Oudh, thence to Allahabad, where after a year's service as Deputy Collector I was nominated to the Statutory Service in December 1884, that is, for the season of 1885. I have now first class powers and summary powers as a Magistrate. I have passed the Departmental Examination and am serving in the Gorakhpur District, having served in five Districts of the North-West and in Oudh.

2896. Is the existing system of appointing men to posts in the Statutory Civil Service generally approved?—Certainly not.

2897. Is it disapproved of by any particular class or by all classes?—Native gentlemen in these Provinces may be divided into three classes: first, those who have received high education in the colleges and schools; secondly, those who have not received a high English education, but, at the same time, are entelligent men who read the Vernacular papers and derive their opinions from them on the current topics of the day; the third class consists of those who have no idea of what the Civil Service is.

2898. Can you tell me how the first class regard it?—The highly educated classes are extremely dissatisfied with the present method of nominating to posts in the Statutory Service, first because it is looked upon as inferior and intermediate between the Covenanted and Uncovenanted Services. The Statutory Civilians have not the same status with regard to pay and prospects, and they cannot meet on equal terms with their competitive compeers, because undoubtedly they are not men of the same high education and high character as competition Civilians are. Then there is a general feeling that by appointing Natives to the Statutory Service you admit them, so to speak, by a back door. Personally speaking, I strongly object to the Statute itself, because I look upon it as a piece of class legislation. Let there be one standard for all and one way of admission by open competition. That is one ground of my objection to the Statute. Then, of course, Statutory Civilians do not mix on the same terms with European gentlemen because they are not acquainted with English life, manners or modes of thought, &c., which is essentially necessary to enable them to mix on equal terms and to have social intercourse with their European comrades. Secondly, the method of selection is very unsatisfactory; there is no educational test. This feeling was very high at one time, but of late there has been a decided improvement in the selections made.

Mr. *Crosthwaite*—contd.

2899. Then your objections rest upon two grounds, the status of the service and the method of selection?—Yes.

2900. Do you wish to maintain the Statute or to abolish it altogether?—To abolish it altogether.

2901. If it is retained, would you amend it in any way?—I would include all natural-born subjects of Her Majesty.

2902. How would you have selections made?—By a system of limited competition.

2903. Would you compel selected candidates to go to England?—Most certainly.

2904. Would that not be against their caste and religious prejudices?—To a certain extent, but times are changing and gentlemen who wish to enter the Covenanted Civil Service should have the moral courage to overcome such prejudices.

2905. As a high-caste Brahman, would you have any objection to go to England?—Certainly not.

Mr. *White.*

2906. You were in the Uncovenanted Service, you say, before being made a Statutory Civilian?—Yes, but I was appointed to the Uncovenanted Service on the distinct understanding that I would get into the Statutory Service.

2907. How would you regard the system of promoting men of proved merit and ability, with all the other necessary qualifications, from the Uncovenanted Service to the Statutory Service?—I would not approve of that; I would keep the two services distinct. My reasons are that a man who has done good service in the Uncovenanted Service would not agree to take an appointment at the bottom of the ladder. As it is, the list for the Covenanted and Statutory Civilians is the same, and promotion goes by a general list. If men like Deputy Collectors, drawing Rs. 800, were appointed to the Statutory Service, they would have to commence at the bottom of the ladder, which would be a great loss to them, or they must be put in the middle of the service, which would cause much heart-burning, not only among European but among Native Civilians too.

2908. Are you aware that the orders for grading officers of the Statutory Civil Service

Mr. *White.*

with the Covenanted Civil Service have been cancelled, and that orders now exist that Statutory men are to be appointed only to particular posts?—No; up to this time in my Province they have been promoted according to the general list.

2909. The fact of commencing on Rs. 200 a month is an effect of the Rules. The Statute says, men of proved merit and ability were to be appointed to posts. Rules have been made to appoint men to the *lowest* grades of the service. The Statute did not, apparently, contemplate anything of the sort, but the Rules did. It is possible to alter the Rules to-morrow without reference to Parliament. *Witness*:—I thought there was some order that the Rules must be sanctioned by the Secretary of State.

Mr. *Ryland.*

2910. Then you would abolish the Statutory Civil Service and encourage the Uncovenanted Service?—I did not say that. If Government decided to retain the Statutory Service, I advocate a limited competition. I will give a few details. I would insist that the age must be not more than twenty-three that a candidate should be a graduate of one of the Universities. In the third place he must be physically, morally and socially fit. The candidates should compete among themselves and the best man should receive the appointment.

Mr. *Nulkar.*

2911. You said you would have free competition, throwing the service open to all natural-born subjects of Her Majesty?—Yes, but I advocate limited competition.

2912. Are you aware that the first object of the Statute is to afford additional facilities for the Natives of India to obtain appointments in the higher service?—Yes, it is so stated in the preamble.

2913. How do you reconcile your proposal?—The Statute will have to be altered.

2914. The very object of the Statute is to have class legislation?—I have given my personal opinion that I object to it.

2915. Then there is no object in opening it to all classes. You would abolish the Statute altogether?—Very decidedly, unless Government chooses to retain the Statute for very urgent political purposes; that is a different thing. I would make one or two appointments in cases of emergency.

The Hon'ble Mr. *Quinton.*

2916. Do you know any of the young men appointed to the Statutory Civil Service?—I know most of them; I think there are four of them.

2917. In their general qualifications are they inferior to or better than the average men in the Uncovenanted Service?—I do not think they are inferior men to the better men in the Uncovenanted Service; I do not think they are better, I think they are much the same.

2918. Do you think that under the Statutory ominations we get better officers than Depu ty ollectors?—It is too premature for me ot offer an opinion on that subject.

The Hon'ble Mr. Justice *Mitter.*

2919. You speak of the dissatisfaction felt, and you have divided the people who are dissatisfied into three classes; but you have not said anything about those who do not know English, but who are at the same time intelligent enough to form an opinion?—They are dissatisfied, but not to the same degree to which the educated classes are.

2920. Supposing the Statute is retained, you would not advocate a system of promotion from the Uncovenanted Service?—No, I would not.

2921. And you have given as a reason for this opinion that there would be dissatisfaction amongst the persons over whose heads they would be promoted?—Yes.

2922. Would they be justified in being dissatisfied when they entered the service with their eyes wide open. I am referring to those persons who were appointed to the service before 1877?—Yes, but I think that if the Statute is applied in future, the quality of the men who come out from England will deteriorate.

2923. But referring to the ground you have assigned, would they be justified in being dissatisfied, knowing that under the Statute of 1870 Government were authorized to make these appointments?—They may not be legally justified, but all the same they will not work with the same heart that they do now; and for administrative reasons it is undesirable to give cause for discontent to the members of the Covenanted Service.

Mr. *Crosthwaite.*

2924. Turning now to the Covenanted Service, is there any dissatisfaction felt regarding the system of recruiting it?—Yes.

2925. On what grounds and by what classes?—Dissatisfaction is felt by the educated classes, not by the mass of the people, on account of the disadvantages that Natives labor under in competing with Englishmen. The complaints are only two or three. One is about the age, one is about the marks assigned to subjects, and the third about the place of examination.

2926. Do you agree with those objections personally?—I object to the age and place of examination.

2927. How would you remove the objections?—I would raise the age to twenty-three for the maximum and eighteen for the minimum. I would hold simultaneous examinations in India and England, identical in every respect.

2928. Would you have the examination at one place in India or more than one place?—In one place.

2929. Would you allot the number of appointments to India?—Not; I would have one general list all round.

2930. Would you allow all persons to compete in India?—All classes, and similarly in England: I would make no difference except in the place of examination.

2931. If you had an examination in India, do you think that many candidates from the North-West Provinces would go up for examination with any hope of success?—Certainly, men are very much changed indeed now to what they were twenty years ago. I think the Province could hold its own as we have held our own in academical examinations. There are bettre

Mr. *Crosthwaite*—contd.

men than myself. Only in the year before last one who won the Gilchrist Scholarship went to England. He was a resident of this city. The Gilchrist Examination is a very difficult examination—almost as difficult as the competitive Civil Service Examination.

2932. Would you compel or encourage those candidates who succeeded in passing the examination in India to go to England for training?—I would compel them most certainly to go to England and receive the same training as those gentlemen receive who pass in England.

2933. Would you pay them?—I do not know the rules. If the competitive Civilians who pass in England receive any allowance, I would give the candidates who succeed in India the same allowance.

2934. You said you thought the objections to going on religious and caste grounds were disappearing?—Very fast.

2935. Do you think Government could fairly say to any candidate that he must go to England if he passed?—Certainly, because Government has been doing so since the open competitive service was established in England. In one case you say, "I give you a chance of going to England and passing there, provided you cross the sea"; here you make it different; you say, "You have passed the examination; if you fulfil other conditions I will give you the appointment."

Mr. *Nulkar.*

2936. You are aware that Englishmen are considered to be better educated physically than Natives of India. Would you require some standard of physical education from Native candidates?—Most certainly; the same conditions as for Englishmen, no difference whatever.

2937. As a matter course that forms part of an Englishman's education?—The physical conditions should be the same. Native gentlemen must wait for admission into the Civil Service until they are physically fit for it.

2938. One of the objections to having an examination in India is that in time it may bring about a pressure to Orientalize the examination. One race would clamour for the addition of Persian, another of Telugu, and so on?—That is the reason I said I did not agree with the view that the same number of marks should be allotted to Arabic and Sanskrit as to Latin and Greek.

2939. What are Government to do? The English examination is made suitable to the subjects taught in English Universities. People would say, either change the subjects of study in our Universities or make the studies for examination in England the same as in India, otherwise we are at a disadvantage. You would look to the standard in England as the standard on which you would hold an examination in India and in England?—A Native gentleman who enters the Civil Service should only be distinguished by his color, and by nothing else, from his English comrades.

2940. Lord Macaulay said, the best education which the English Universities provided must be secured by Native gentlemen before they got into the Civil Service?—Yes.

2941. That open competition should be so conducted as to secure the best young men that underwent an educational training in England?—Most certainly.

Mr. *Peacock.*

2942. You propose an examination in India simply with the object of preventing men being forced to go to England on a mere chance?—That is one reason.

2943. What is the other?—There is the question of expense. Another reason is that if we have to send a boy, we have to send him early, and at a time, perhaps, when his character would not be formed.

The Hon'ble Mr. *Quinton.*

2944. Why would you have to send them early if the examination was to be the same in England and in India?—If the present system is continued, we must then send them very early.

2945. Under the present system it is optional with English candidates to stay in Universities or not; but having regard to the evil that must arise if Indian candidates are left too much to themselves in London, would you not advocate that it should be compulsory on them after they passed in India to stay in one of the Universities?—Certainly, if a man residing at one of the Universities can keep his terms for the Bar.

Mr. *Crosthwaite.*

2946. By the Uncovenanted Service we mean Deputy Collectors, Tahsildars, Subordinate Judges and Munsiffs. Would you recruit that service from Natives as defined in the Statute or from all natural-born subjects of Her Majesty?—I think I would not admit all natural-born subjects of Her Majesty to Tahsildarships, but I would admit them certainly to Deputy Collectorships.

2947. How would you appoint Tahsildars?—I would recruit them by a system of nomination and competition combined. Half of the candidates for Tahsildarships should be nominated from the humbler class of people in the service already, the other half from undergraduates in each Province, who should be nominated, it being understood that they should be socially and physically fit for it; by undergraduates I mean gentlemen who have passed the F.A. Examination. The conditions of nomination should be social, physical and moral fitness and then let the nominees compete among themselves. As to Deputy Collectorships, I would have half the candidates from among the Tahsildars and the other half from graduates. All natural-born subjects should be eligible.

The Hon'ble Mr. *Quinton.*

2948. You would make the Tahsildars and graduates compete together?—Yes, all together.

Mr. *Crosthwaite.*

2949. Then about Munsiffs?—I would recruit them from High Court Vakils who had practised for two years with reputation in the Courts. I think the pay of a Munsiff is Rs. 200 to begin with. With prospects of promotion and pension I think Pleaders who are B.L.'s would come in. I think in Oudh they might rise to Judgeships or Small Cause Court Judgeships. I would select from these classes for Munsiffs, the selection being left to Judges and judicial officers before whom they have practised.

2950. As to Subordinate Judges?—The Munsiffs of course will be promoted to Subor-

Mr. *Crosthwaite*—contd.

dinate Judgeships. I would select them also from High Court Vakils of some standing, as it has been successful in some cases in these Provinces. I would not go below High Court Vakils to District Court Vakils.

2951. Would you keep these appointments for Natives of the Provinces or would you give them equally to Natives of all India?—I would give them to Natives of all India, because I know that certain people of other Provinces, already in the judicial line, have given great satisfaction to the people and the officers under whom they have served.

2952. Speaking of executive appointments, would you select your Tahsildars from all India?—I would recruit Tahsildars provincially. Deputy Collectorships I would throw open to such Natives of all Provinces as should have resided in the Province sufficiently long to become acquainted with the manners, customs and language of the people.

2953. You propose to abolish the Statute altogether. In that case would you give the appointments now given under the Statute to the Uncovenanted Service?—No, I would give them back to the Covenanted Service.

Mr. *Ryland.*

2954. In what way would you appoint Deputy Collectors?—One-half from Tahsildars and one-half from graduates. Europeans coming under either of these descriptions would be eligible.

Mr. *Nulkar.*

2955. Under the qualifications you mention you say "social fitness." What do you mean?—I mean they must be men of some respectability.

2956. Would not that create a sort of caste, a new caste?—No, it is difficult to define the word, but everyone understands what it means.

2957. Do you mean respectability as regards the individual or as regards his family?—I will not go into this hypothetical matter.

2958. But what do you mean by respectability?—You must understand my meaning.

2959. How is the respectability to be judged. do you mean the respectability of the candidate or, in addition to his respectability, would you insist on respectability of family?—In India you know the respectability of the family goes by caste.

2960. What caste would you exclude?—The very lowest castes.

2961. How many are there?—They are very numerous.

2962. Are the colleges closed against them?—No.

2963. Suppose you have got a considerable number from that caste among your candidates, would you exclude them all from competing for Government service?—In the present state of feeling in this Province I would certainly exclude them, even if B.A.'s or B.L.'s. In the executive line it is necessary Tahsildars should have a certain influence with the people they are going to govern.

2964. Would you also exclude them from the civil judiciary?—No, I would not.

Mr. *Nulkar*—contd.

2965. You would not exclude a low-caste graduate?—No, if he is personally a gentleman and his habits are those of a gentleman.

2966. I suppose a graduate is considered as a gentleman; in any part of the country a graduate has a certain status; he is included in the list eligible to go to Government House?—That is not the view in these Provinces.

2967. You would not call a graduate of a certain class a gentleman?—No, graduates are not necessarily all gentlemen.

Mr. *Stokes.*

2968. Why would you have an examination for candidates for the post of Deputy Collector and not an examination for the post of Munsiff?—Because for the post of Munsiff they will have gained the necessary experience. In the first place there is a test they must undergo before they can become Vakils, and after that they must practise. In the other case they must pass the service examination. I would have departmental examinations. It is a matter of detail as to the subjects you would examine them in; after that they receive the necessary training. In one case they are trained, in the other they are not. Vakils have passed a technical examination.

Mr. *Peacock.*

2969. You say you would select Subordinate Judges partly from Munsiffs and partly from selected Pleaders of the High Court. Would you give any particular proportion in certain years to Vakils?—No, I would not; I would leave it to the High Court Judges. I would put in any Pleaders who were thought qualified for Subordinate Judges in the opinion of the High Court.

2970. Would you have any number of Vakils appointed to the post of Subordinate Judge to the exclusion of Munsiffs?—No, I would not. I am not prepared to give any definite opinion on the question. I would leave it to the High Court Judges.

2971. If a large proportion of vacancies among Subordinate Judges were given to High Court Pleaders, would it not deter the same class of men from readily accepting the places of Munsiffs, as they would see that possibly men of their own class might be brought into the higher Judicial service?—I would appoint men who had proved their merit and ability before the Judges of the High Court as exceptional cases.

Mr. *Stokes.*

2972. You would not examine Vakils but you would examine Tahsildars?—Yes, certainly.

2973. In case half were Tahsildars and half Pleaders, do you not think Tahsildars would come off very badly—The notions held by Tahsildars of law and evidence are very vague.

The Hon'ble Mr. Justice *Mitter.*

2974. In appointing Subordinate Judges from the Bar you say you would leave it entirely to the High Court Judges, at the same time you said that such appointments should be exceptional?—Yes.

2975. Would you approve that the selections should, as a rule, be made from the Bar, as affording the best men for the purpose?—Yes.

Mr. *Stokes*—contd.

2976. In answer to one of the questions you said the initial pay of a Munsiff was insufficient to attract good men from the Bar, and that his prospects of promotion to higher appointments, one of which was District Judge, were small. You know that the post of a District Judge is reserved for Covenanted officers. Would you advocate that District Judgeships should be taken from the Covenanted Service and amalgamated with the Uncovenanted Service?—I was referring to Civil Judgeships as they exist in Oudh now.

2977. Unless under the Statute of 1870 I do not think they are open to the Uncovenanted Service?—Yes they are in non-Regulation Provinces. In the North-West Provinces I would not admit any man of the Uncovenanted Service to Judgeships; they must go to men of the Covenanted Service, to men in the judicial and executive line.

Sir *Charles Turner.*

2978. You said you were not satisfied with the way in which the criminal work of the country was done by Tahsildars; what is the reason?—They do not know the law of evidence. They have not moral strength to resist the influence of Thanadars. Thanadars are the local police. I know of the case of a Magistrate sentencing an accused person to twenty-four hours' imprisonment so that he might be released next morning, and yet the case be shown in the list of convictions.

2979. You say you would not remove District Judgeships from the class of offices reserved for Covenanted Civilians; they are Judges of both civil and criminal law. Is that one objection to the removal of this class of Judgeships?—I do not think the men in the Uncovenanted Service at present are fit to be Sessions Judges, because the Uncovenanted Service, as it is, is recruited from the humbler classes.

2980. In what respect are they unfit?—Because they do not receive any training in criminal cases.

2981. You are speaking of Munsiffs and Subordinate Judges. Have you had any experience of the work of Deputy Collectors as Magistrates?—I have had experience of a Pandit, a Deputy Magistrate in this district.

2982. Was his work fairly satisfactory?—Fairly satisfactory for a Deputy Magistrate.

2983. Have you seen the work of any other Deputy Collector?—Many Deputy Collectors. I do not think Native officers as a rule do their criminal work so well as European officers do. On that point I endorse every word that Mr. Justice Straight said before this Commission.

2984. Is the inferiority of the Native Magistracy to be attributed to a defective training?—Yes.

2985. If you had more highly educated officers, would there be reason to presume that they would not perform their criminal work equally as well as they now perform civil work?—There would be no presumption.

2986. You would leave it open to the High Court to decide the number of men they would appoint to the office of Subordinate Judge from the Bar?—Yes, because I hope the High Court Judges will exercise their discretion in the interests of Munsiffs also and take the best men.

Sir *Charles Turner*—contd.

2987. It may happen that some of the senior Munsiffs may not make good Subordinate Judges?—Then they should not be taken.

2988. Possibly you are of opinion that an appellate Court should be more learned and more skilled than a Court of first instance?—Most certainly.

Mr. *White.*

2989. You said a little while ago that you would exclude certain classes of the population and certain castes from high offices on account of low birth?—From Tahsildarships.

2990. Would you apply the same rule to the competitive examination in England?—No, I would not.

2991. Then you would allow a low-caste man to enter the important offices in the Civil Service, while you would not allow him to fill any post in the service recruited in India?—Because by going to England he would come out quite a different man.

2992. Then you do not consider that in prohibiting that person from entering the Subordinate Public Service you will be interfering with Her Majesty's Proclamation which gives equal rights to all Her Majesty's subjects?—I do not remember exactly the words of the Proclamation; I am not prepared to discuss them. It is a very qualified Proclamation. The time may come, a hundred years hence, when Uncovenanted men may be fit to be governors; they are not at present.

Mr. *Ryland.*

2993. You judge of the capabilities of the Uncovenanted Service from the officers now in it?—Certainly.

2994. You do not consider them to be fit to hold Judgeships you say?—Certainly not.

2995. Do you attribute that to the system of appointment?—Certainly, it is due to defects in the system of appointment.

2996. You consider it to be due to those defects?—Yes.

2997. You said you agreed with Mr. Justice Straight in his opinions concerning Europeans?—As a rule they make better Magistrates and do their work better than Natives.

2998. Are there any Europeans employed in these Provinces as Deputy Magistrates?—I cannot say if there are Europeans, but certainly there are Eurasians. I know some of them. I am not certain that there are no Europeans.

Mr. *Crosthwaite.*

2999. As to pay and furlough, have you anything to tell us? Would you make any distinction in the salaries attached to posts generally reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service, or by members of the Statutory or Uncovenanted branches?—Yes; I would make it in the case of Statutory Civilians who do not go to England. I would give them eighty per cent. of the pay of competitive Civilians, my reasons being that a Statutory Civilian has to live exactly in the same style as European Civilians; they have to spend almost the same amount as European Civilians do. Their expenses for house-rent, furniture, conveyances, dress, mode of life are different from the ordinary

Mr. *Crosthwaite*—contd.

Deputy Collectors; it is more costly, almost the same as Europeans plus the additional cost arising from the fact that most of the Natives are married men.

3000. Then you would give eighty per cent. to those that did not go to England?—Yes, and those who go to England should on their return get full pay. They will be nearly, if not quite, as good as gentlemen who enter the Civil Service by competition.

3001. Would you make any difference in the Furlough Rules?—Yes, certainly. I would allow Native gentlemen while in service three half years to enable them to go to England and get called to the Bar.

3002. Do you think it in the interest of the public service that they should be called to the Bar?—Yes.

3003. Do you know what being called to the Bar consists in?—Yes; keeping terms and passing certain examinations in law.

3004. Are you acquainted with the rules in regard to pensions and annuities?—Yes.

3005. You know what pensions Civilians get when they retire?—I would have twenty per cent. difference between Covenanted Civilians and Statutory Civilians. There is a deduction made from the pay of European officers towards pension, and I would make the same deduction from the pay of Statutory Civilians.

Sir *Charles Turner.*

3006. Would you object to tell us what it costs you to live in one of the stations of the North-West?—When I was in Allahabad I used to spend Rs. 500 a month.

3007. In other stations?—In Gorakhpur living is a little cheaper: I have not to receive so many European friends and visitors as in Allahabad, and therefore it comes to Rs. 400.

3008. You received Europeans?—Yes. I do not ask them to dinner. I offer them hospitality so far as is consistent with my caste. If I had means I would entertain them more largely.

3009. Did you live as prudently as you could?—I lived as prudently as I could.

3010. I am speaking of what a man could live fairly well on in the position of life of a young Statutory Civilian?—Unmarried or married?

3011. You said all young Statutory Civilians were married?—It would not be less than Rs. 350 a month, if he kept up his position in the service to which he belonged.

Mr. *Nulkar.*

3012. Would the Native Civilian brought up in England as you propose be equally able to hold all posts now open to Civilians?—Certainly.

3013. Would they be equal to difficult charges on the Frontier, say Hazara, Bannu, Peshawar?—Yes, I think so, if all the conditions as to physical, moral and intellectual fitness were complied with.

3014. Where you have to rule over turbulent warlike tribes?—To a certain extent it will depend upon the Civilian also. I have had no experience of Frontier districts, so will venture no opinion on the subject.

Sir *Charles Turner.*

3015. Have you served in a district where riots took place?—I have been in a district where riots were apprehended.

Mr. *Nulkar.*

3016. Would a Native Civilian be efficient in case of disturbance?—He would certainly be able to hold charge of a district.

3017. As efficiently as an European?—Certainly. A misunderstanding prevails as to these riots. Riots do not prevail among the upper classes of Mahomedans and Hindus, it is among the scum of society, the budmashes. I think in every important town you have classes who want to take advantage of Native officials, but such cases are very rare.

3018. Tell us how the upper classes of Hindus and Mahomedans behave when such riots occur?—In perfect accord; in perfect harmony. Each tries his best and with a little tact and previous arrangement, and by taking the leading Mahomedans and Hindus into confidence matters are satisfactorily arranged, as in the Aligarh District. We left the whole matter to the leading Mahomedans and Hindus, and everything went off without the slightest hitch.

3019. Was any disturbance expected there?—Yes, there was a procession. By consulting and taking into confidence the leading Hindus and Mahomedans the whole thing was satisfactorily arranged.

3020. Who took them into confidence?—I had charge of the city, and was so confident of every thing going on well that I came away.

3021. What city?—Gorakhpur.

3022. How about criminal cases between Europeans and Natives. Would a District Magistrate who is a Native Civilian, be regarded with the same confidence by Europeans?—Do you refer to the Ilbert Bill question?

3023. No, I do not refer to that, to criminal trials?—I think with Anglicised Magistrates the European community would be satisfied. I think the reason for objecting to Native Magistrates is that they do not understand thoroughly the feelings of Englishmen.

3024. Have you any reason to think, if a Native Magistrate came up to the standard, the appeal standard that I have attempted to describe, Europeans would have perfect confidence in his capacity and integrity?—Yes.

3025. As an arbiter in criminal matters?—Yes; I have myself heard cases in which Europeans have been involved, and I think they have been perfectly satisfied. One I had the other day in which an influential landowner was the accused.

3026. Was he an Englishman?—No, the complainant was, and the accused a highly respectable Native gentleman, a Talukdar. The case was defended by a European Barrister, Mr. Howard.

3027. Did the case come before you in the ordinary course?—No, it was a case specially made over to me. It belonged to my district, but not to my sub-divisions.

Mr. *Peacock.*

3028. I did not quite catch what you said about furlough?—The furlough allowed to a

Mr. *Peacock.*—contd.

Native Civilian during the whole period of his service should be three and a half or four years; it ought not to be taken all at once.

Mr. *Ryland.*

3029. Did I understand you to say the ability to preserve order in a district would depend much on the officer?—No, I said on the training, on the education of the officer.

Mr. *Ryland*—contd.

The *President.*

3030. Do you wish to add anything to your evidence before the Commission?—No.

WITNESS XXXVIII.—*6th January, 1887.*

Vol. II. Sec. II. N.-W. P.

Babu *Sittola Kant Chatterji.*

Examination of Babu SITTOLA KANT CHATTERJI, Delegate of the Meerut Association, North-Western Provinces.

Mr. *Crosthwaite.*

3031. What is your name?—Sittola Kant Chatterji. I am a Bengali, and was born in the Deesa District.

3032. Where were you educated?—In Calcutta.

3033. When did you come to these Provinces?—Five or six years back.

3034. What have you done in these Provinces, what has been your occupation?—A Pleader, practising in Meerut; before that I was Editor of the Lahore "Tribune" for about two years.

3035. When did you come to Meerut?—About two years ago.

3036. So you are a Native of Bengal and have only resided two years in these Provinces?—About two years.

3037. May I ask you in what capacity you come here?—I represent the Meerut Association, which is a public body consisting of the old *Raises*, Pleaders and others of Meerut. It was established with the object of taking part in political as well as educational questions.

3038. How long has it been established?—It was established some five or six years ago, that is to say, before I came to Meerut.

3039. How many members are there in your Association?—About one hundred.

3040. Are they residents of Meerut?—Excepting one or two, like myself, all are residents of the town of Meerut and some of the districts also, but I think ninety per cent. are residents of the town.

3041. Are all castes represented?—Yes, we have got some leading Mahomedan gentlemen; the majority of course are Hindus: but we have representative Mahomedan gentlemen like Noor Bahadur Nawab Salieman Saheb, of the family of Afghan Nawabs. We have Lala Kissen Sait, Honorary Magistrate and Municipal member, Lala Ananda, Municipal member; we have in fact all the leading men. We have no President, we elect a President as occasion arises. All the members received notice that a meeting would be held to appoint a representative and I was selected. I think there were about twenty-five present. A Committee, of which I was a member, was appointed to consider the questions.

3042. You are now going to tell us the views of that Committee?—Yes. The main points were discussed by the Association, and I was asked to represent their views on those lines, and a scheme was also drawn up by the Meerut Association which I have here in print.

3043. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—It is not approved.

3044. By whom not approved?—By all classes of the people who can form an opinion on the subject; the masses have no opinion on the subject. I do not think that the particular class of people from whom these Statutory Civilians are appointed are opposed to or think unfavorably of the Statutory system.

Mr. *Crosthwaite*—contd.

3045. Can you tell me the grounds of disapproval?—The grounds of objection are first of all, I think, that the Natives want to enter the Covenanted Civil Service, they do not want a specific number of appointments to be marked off for them. Another objection is that the service is looked upon as an inferior service. Although the appointments are such as are usually held by the Covenanted Civil Service, the men appointed are looked upon as men of an inferior service, and the reason they are so regarded is that there is no standard of education insisted upon. Nomination, it is said, is based on considerations of birth, but this also is not approved of.

3046. Do you approve of the Statute? Would you amend the rules?—Yes, I would not repeal it. I would not care to amend the rules. I would abolish the Statutory Service though I would not abolish the Statute. I would retain the Statute, but only for this purpose that it empowers the Government of India to make appointments to posts reserved for the Covenanted Service. I would not have this power taken away, but I would not have any particular service created under the Statute. I would leave this power with the Government of India to be employed occasionally in very special cases, that is to say, for instance, suppose the Government of India thought it would be to the interest of the country to appoint Sir Madhava Rao to some administrative post which it could not do unless the Statutory power existed; for such exceptional cases, I would retain that power, but not to enable the Government to constitute a service under the Statute.

3047. Would you amend the definition in the Statute?—No, it is right and just; it should include all natural-born subjects of Her Majesty.

Mr. *Ryland.*

3048. Would you appoint Englishmen in exceptional cases if Government decided they were fit for it?—Yes.

3049. But you would preserve the defination at present given in the Statute?—Yes.

Mr. *White.*

3050. You would reserve the power given to Government under the Statute to be exercised in very exceptional cases. I would like to know whether you would in that case keep any of the appointments now given under the Statute for the Uncovenanted Service?—Yes, I would in fact restrict the Uncovenanted Service; extend the number of posts in the Covenanted Service as largely as possible and create something like an intermediate service of my own, that is my scheme.

3051. Is there objection expressed to the system of appointment to the Covenanted Civil

Mr. *White*—contd.

Service?—Yes, very great objection; but nothing against the system of competition.

3052. What are the grounds?—The grounds are the necessity for Indian candidates to go to England to appear at the examination, the age and the subjects. I think Native students cannot be placed absolutely on the same terms of advantage with European candidates, because Natives have to pass the examination through the medium of a foreign language, English, which is very difficult for foreigners to acquire. But this is a disadvantage under which they always must labor, because I would not have the examination conducted through the medium of any vernacular of India. But I would make the maximum age twenty-five years for Natives and twenty-three for Europeans. I do not particularly insist on the point. I think there should be some difference on account of the disadvantage at which Natives are placed. There should be a simultaneous examination in India and England, an identical examination. I think for some years to come one centre of examination in India would suffice. I would not Orientalize the examination; but I would place Sanskrit and Arabic on the same footing as Latin and Greek in respect of marks. I would add no subjects.

The Hon'ble Mr. *Quinton.*

3053. Are you aware there are different marks assigned for Greek and Latin? Latin gets eight hundred, Greek six hundred.—In order that there might be no misunderstanding between Hindus and Mahomedans, I would give both eight hundred on that ground. I know something of Sanskrit, but nothing of Arabic. I am no judge of the difficulty of studying each.

3054. You would have one examination in England and one in India, you would raise the marks in Sanskrit and Arabic, would you let Englishmen compete for the examination in India?—Yes, it should be open to all.

3055. Would you make one list of the candidates?—Yes, one list, and the appointments should be made according to the order of merit, taking the men from the top of the list.

3056. You make no apportionment to England or India?—No.

3057. With regard to candidates passing in India, would you send them to England after they passed?—Yes, and compel them to spend two or three years there for special training. I would require that only graduates of some Indian University should be allowed to go up for the examination; after that I would require the successful candidates to spend two or three years in England in view to study on the spot the system on which our Indian administration is based. It is not so necessary to have our Oriental system studied. It is desirable that Native Civil Servants should know something of English administration, and this should be studied on the spot. It is also necessary that they should become familiar with English manners and life that they may, as Mr. Tupp says, be able to govern Englishmen in this country.

3058. You are aware that a successful candidate in England has to pass two years in training?—Yes, the Civilian appointed in India should pass through the same training. I would have him pass through a special course of training in jurisprudence, Indian law, Indian history, &c. I would train him in the same way as the successful candidates in England are now trained.

The Hon'ble Mr. *Quinton*—contd.

Mr. *Peacock.*

3059. Would you assist those who pass in India to go to England in any way?—Yes, their cost of outfit, passage and all expenses in England I would have the Indian revenue to bear.

The Hon'ble Mr. Justice *Mitter.*

3060. Would you make it compulsory on Indian candidates who succeed to study at an University in England?—Not if my proposition is agreed to, that all should be graduates of an University.

3061. Suppose they are graduates of Calcutta University?—I would not insist on their graduating in England again. If this condition of qualification is not possessed, I would have them pass three years in some English University and graduate there.

3062. You think that if young men were left to themselves in London there is some danger to them. To avoid that would you not make it compulsory they should stay in some college?—Yes, but I would not let them lead a holiday life there. I do not see any objection to their passing three years in some University.

3063. Do you think that if that is made compulsory the people of this country would be dissatisfied with such an arrangement?—No.

3064. More satisfied than with the present arrangement?—None would object to passing some time in an University.

The Hon'ble Mr. *Quinton.*

3065. Are you aware that in English Universities students remain two or three years before taking out their degrees?—Yes, if the English standard were insisted on I would not think it absolutely necessary that the men in India should pass three years in some University. But if that standard is not insisted on, I would have them pass three years at an University. If the limit of age was raised to twenty-five it would not be necessary that every one should come out at twenty-five. They might come out at twenty-eight.

Mr. *Peacock.*

3066. You have insisted on all Indian nominees being graduates?—Yes.

3067. And you allow Englishmen equally with Indians to go up for the English examination? Would you require all Englishmen examined in India also to be graduates?—Yes.

Mr. *Crosthwaite.*

3068. Now as to the Uncovenanted Service. Would you recruit the Uncovenanted Service, meaning Deputy Collectors, Tahsildars, Subordinate Judges and Munsiffs, from Natives of India under the Statute or from all natural-born subjects of Her Majesty?—Only Natives of India.

3069. How would you recruit for Tahsildars?—I would recruit the Subordinate Executive Service in this way: Tahsildars and Deputy Collectors I would fill by competitive examination

Mr. *Crosthwaite*—contd.

among graduates of the Province, resident in the Province: no one but graduates should be allowed to compete for these appointments. The Subordinate Judicial Service I would fill up by High Court Pleaders who had practised for at least two years in some Court.

3070. You would appoint all Tahsildars and Deputy Collectors by competition among graduates?—For first appointment they must be graduates who have succeeded in a competitive examination. All Deputy Collectors should be promoted from Tahsildars, Tahsildars should be selected by co petition from graduates. As to Munsiffs I would select them from the High Court Pleaders with at least two years' practice; Subordinate Judges are only Munsiffs of higher grade, Munsiffs would be promoted to Subordinate Judgeships. In no case would I make a Pleader a Subordinate Judge right off.

3071. These graduates that you are going to make compete for Tahsildarships, are they to be Natives of the North-West Provinces or of all parts of India?—No residents of the North-West Provinces, Natives of India as defined in the Statute. A man who had resided two years in the Province would under my scheme be able to compete.

Mr. *Ryland.*

3072. If the Uncovenanted Service is closed to any natural-born subjects of Her Majesty, on what grounds, bearing in mind the terms of Acts of Parliament and Her Majesty's Proclamation of 1st November, 1858, is this to be justified?—What is called now the Uncovenanted Service is in a manner closed against one class of the natural-born subjects of Her Majesty, that is to say, those that are not Natives under the Statute. In every country, at any rate, the Natives of the country ought to have a preferential claim to appointments in the public service. Now the highest posts in the country cannot be exclusively reserved for Natives as we are governed by a foreign power, and it is necessary that people belonging to that power should have a large share in the higher posts. To exclude Europeans would not properly speaking be excluding all Europeans, as Europeans, born in this country, domiciled in this country, though called Natives of India, are as good Europeans as any that we import, so that people in this country resident here should have the preference to all Government posts. So far as I am concerned I do not think there would be any strong objection to admit Europeans if they were not birds of passage.

Mr. *Peacock.*

3073. Did I understand you to say Deputy Collectors should be entirely recruited from Tahsildars?—Yes, certainly.

3074. And Subordinate Judgeships entirely from Munsiffs?—Yes.

3075. Munsiffs to be recruited only from Pleaders of the High Court?—Yes.

3076. How would the recruitment be made?—By selection.

3077. Who would make the selection?—The High Court on the recommendation of the District Judge.

The Hon'ble Mr. Justice *Mitter.*

3078. You would not appoint any person from the Bar direct to a Subordinate Judgeship?—No.

3079. What is your reason?—That would leave the matter somewhat uncertain; there would be no sure line of appointments, no certain flow of promotion. Any number of men would be put in.

3080. But suppose the High Court appoint exceptionally good men from the Bar? Would not that increase the efficiency of the service?—I think men who have worked as pleaders for ten years would make better Subordinate Judges than men now imported from the High Court Bar. I cannot say I have had any experience in this matter. The Subordinate Judges in these Provinces are generally men of little education.

3081. Then your opinion is not based on facts?—I do not know of any case of a High Court Pleader being appointed at once a Subordinate Judge. Babu Mukerjee tried, but was appointed to a first class Munsiffship. There is another thing. Some of the best men may be appointed perhaps from the High Court, but things have changed now, and you have lots of able High Court Pleaders practising in the districts who would make good Subordinate Judges in time.

The Hon'ble Mr. *Quinton.*

3082. There are many High Court Pleaders in your Association?—Yes.

3083. How many?—I think four or five of them.

Mr. *Crosthwaite.*

3084. You are a High Court Pleader?—I am only a District Court Pleader.

3085. As to pay and furlough, have you anything to say about that?—Nothing particular.

3086. Would you make any difference in the pay of a man appointed from England by competition and of a man appointed in India by promotion from the Uncovenanted Service under the Statute?—I would make a difference.

3087. Have you considered how much difference ought to be made?—I think the present scale of two-thirds pay is far too low.

3088. On what principle is that distinction made? How do you justify it?—Natives of India who go into the Covenanted Civil Service have to go to England to pass there at the cost of religious and social prejudice; they pass through a very severe test and I think they have a right to claim higher remuneration than people who never left the country.

3089. Look at the case, not as between a Native of India, but as between Natives of India appointed in India and Englishmen sent out from England?—For the Covenanted Service I would have one scale of pay and for the other another.

3090. Do you think a man who has been through the English competition is *primâ facie* a more efficient Government servant than one who has not, who has been appointed in India?—I think they would make better servants for higher administrative posts.

3091. Would you make any distinction in the furlough rules as to gentlemen appointed in India?—No, I know little about them.

Mr. *Crosthwaite*—contd.

3092. Is there anything more that you would like to say?—I was going to circulate this paper drawn up by the Meerut Association if you think you have anything to ask me about this.

3093. Is that the scheme you have set forth?—I have had no opportunity of setting forth any scheme.

3094. I think Mr. Chatterji you will see there is only one point on which your answers have not been taken, that is, the first, so I will now ask you a question upon it?—Yes.

3095. You said in the course of your examination that you would reduce the number of posts in the Civil Service as much as possible?—Yes.

3096. How much could those posts be reduced?—There are about four hundred posts in all India reserved for the service.

3097. With regard to the North-West Provinces, what class of posts do you think should be reserved for the Covenanted Civil Service?—I have named the more important posts.

3098. I want you to name them now?—That is to say, Lieutenant Governorships and Chief Commissionerships.

3099. Would you reserve Collectors and Magistrates of districts?—Yes, for the Covenanted Service.

3100. And Commissionerships?—Yes.

3101. Joint Magistrates? I do not think you have thought it out very well, have you?—Not in connection with this Province. Down to Collector I would have it reserved for the Covenanted class.

3102. Including Commissionerships?—I do not think it necessary to have the District Judgeships reserved.

3103. If you did not reserve District Judgeships, would you allow the powers of District Judge to remain, as at present, criminal and civil; should the District Judges remain Session Judges as at present?—Yes, I think that the work is not properly administered by Joint Magistrates being made District Judges; they gain experience in criminal work, but not civil work. I would have only a Civil Judge and a Magistrate at the head of the criminal department of the Judicial administration. But I would also separate his judicial functions from his executive functions, that is to say, I would not allow a Collector to have anything to do with judicial duties.

3104. Then below the Covenanted Civil Service you want to have an intermediate Civil Service?—Yes.

3105. What do you mean to do with the intermediate Civil Service?—The object of my suggestion is this, that from various causes, religious or other prejudices, there will be for a long time to come a class of men excluded from service in the country.

3106. There will be a class of men excluded from the higher posts?—By reason of poverty, religion, or other prejudices, they will not go through the English training. I am positive on this point that the higher Covenanted posts must be reserved for men of an English training. This intermediate service I would form by taking a large proportion of posts from the Covenanted Service and by including some of the highest posts in the Uncovenanted Service. I would create this service to utilize the service of a very high class of men, that is, practising Barristers, Pleaders, in this country and distinguished men in the Uncovenanted Service. That would solve the difficulty, I think.

Mr. *Peacock.*

3107. The intermediate class is to be recruited, I suppose, only by selection?—Yes. This intermediate Civil Service will be recruited only by selection from among practising Barristers, men who have distinguished themselves in the Uncovenanted Service and candidates for the Civil Service who have failed at the first examination.

3108. You say there is a class for which you must provide in this intermediate service, who by poverty or religious prejudice would not go to England or get high posts by passing through competition. How is that compatible with your present suggestion?—Barristers and Pleaders, do you not see?

3109. I am speaking of Barristers who must have gone to Europe?—I meant to utilize the services of all the best men in India, which we cannot do under the Covenanted system.

Mr. *Ryland.*

3110. Would you admit Europeans too, who were not birds of passage, who were in the Uncovenanted Service, in the same way?—No, I would not, unless they were domiciled in India.

3111. If admitted to the Uncovenanted Service you would not, I suppose, exclude them?—No.

The *President.*

3112. Have you any other point on which you wish to state your opinion?—No.

The Hon'ble Mr. Justice *Mitter.*

3113. Regarding the intermediate Civil Service, you say that you would recruit this service from eminent Barristers and Pleaders practising in India. You have already said you would not appoint Pleaders or Barristers directly to the post of Subordinate Judge. How do you reconcile this with your statement of the scheme?—This intermediate service, I have said, is principally meant for providing for men of distinguished ability. District Judgeships and other posts reserved for the Covenanted Service I would give to the Covenanted Service and never to this other service.

3114. The scheme says: "and of appointments included in posts of the Covenanted Civil Service." Do you consider a Subordinate Judge's post a higher appointment?—Yes.

3115. Do you include them?—Yes.

3116. Then you would modify your opinion that you would appoint men of the Bar direct to the post of Subordinate Judge?—For the same service I would not have two principles of appointment, one of nomination and another of competition. If the scheme is adopted, and if Subordinate Judgeships are included in the intermediate service, then I would not have any objection. I would have one scheme for the Civil Service competition and one for the Uncovenanted Service.

Sir *Charles Turner.*

3117. The intermediate service would be altogether a nomination service?—Yes.

Sir *Carles Turner*—contd.

3118. You would separate the functions of a Collector from those of a Magistrate of the District?—Yes.

3119. With regard to Civil Judges, District Judges, would you give Natives administrative as well as judicial functions?—Yes.

3120. Would you continue to allow the District Judge to exercise his supervisional functions?—Yes. I would not take them away. My scheme for separating the executive and judicial functions of the present District Magistrate Collector would be that he should collect revenue, look to the peace of the district, be head of the police and have no District Superintendent. I would have the Magistrate only a criminal judicial officer.

Sir *Charles Turner*—contd.

Mr. *Stokes.*

3121. You mean the Chief Magistrate of the district?—The Chief Magistrate would simply be a criminal and judicial officer.

WITNESS XXXIX.—*6th January 1887.*

Examination of W. BURBRIDGE, Esq., Pleader, High Court, Allahabad.

W. Burbridge, Esq.

The *President.*

3122. What is your name?—My name is William Burbridge. I am now a Government pensioner and a Pleader in the District Court. I was penisioned in October 1885. I have volunteered to give my evidence. I received the usual notice.

Sir *Charles Turner.*

3123. When did you first enter Government service?—I first entered it in 1854. I afterwards left it and joined the Railway. I rejoined the service in 1864. I first entered Government service in the Telegraph Department, remained five years in it, and then left it and joined the Railway as an Accountant. I again entered Government service in the late Sadr Diwani Court as a copyist, and when I left it I was clerk to the Chief Justice, to which post I was promoted in 1872, and which post I held until 1884.

The *President.*

3124. What is the point you wish to bring forward with reference to the Uncovenanted Service?—The exclusion of the class to which I belong from the Uncovenanted Judicial Service. I am a Native of India, a Statutory Native. I was born in India, have remained in India and will remain in India all my life. I have been excluded from the judicial service. When my post was abolished I was entitled to only one-third pension, and I thought it hard that, for no fault of my own, I should be forced to take pension. Under the rules I was qualified for a Munsiff's appointment: I made an application for such an appointment, to be allowed to serve Government for three or four years more to qualify for my half pension. I was refused on the ground that these appointments were intended for Natives pure and simple. I did not make the application in writing. I made it verbally to my then immediate superior.

3125. You are quite certain that the ground you have mentioned was that on which the refusal was based?—I am quite clear on that point.

Sir *Charles Turner.*

3126. From whom did you get the information?—From the Chief Justice himself.

The *President.*

3127. You are aware that there is no exclusion under the present Statute law?—There is no exclusion, and as a Native of India and having complied with the rules existing in circulars of of the High Court, I was qualified to be appointed to be a Munsiff.

3128. What you want to draw attention to is the unequal application of the rules?—Exactly.

Mr. *Ryland.*

3129. When were you told that your application was rejected?—In 1885.

3130. So recently as that?—In 1885. When I received notice that my post would be abolished, I made an application.

The *President.*

3131. Was your application made in writing?—No, I did not submit a written application.

3132. Is there any other point on which you wish to speak?—I would wish to say something about the judicial service.

3133. What are your views as to recruitment?—I would recruit Munsiffs from District Court Pleaders of three years' standing. Supposing a man goes up for the High Court Examination, the standard for passing is 500; supposing he gets 480 he is not allowed to pass as a High Court Pleader but as a District Court Pleader. He has to undergo the same examination, and after two or three years' practice as District Court Pleader he should be allowed to be appointed as a Munsiff by selection, if he is recommended by the District Judges of the Court in which he practises. From my experience there are several District Court Pleaders who failed as High Court Pleaders, but who have more experience than some of the High Court Pleaders. In the District Court there are both High Court and District Court Pleaders practising. My practice as a District Court Pleader is not of very long standing.

3134. Can you say what a good District Court Pleader earns after four years' practice?—Some men would make Rs. 500 or Rs. 600 a month.

3135. What is the pay of a Munsiff?—Rs. 200 to start with. I think some Pleaders would accept the office because the chances are that a good man would be promoted to a first grade Subordinate Judgeship. I think they would readily take it.

Sir *Charles Turner.*

3136. Do I understand you to say that after four years' practice a man would make Rs. 600 a month?—In Allahabad I should say a man would make not more than Rs. 100 a month.

Mr. *Stokes.*

3137. Are there any gentlemen of your class among the Munsiff at present?—Not a single one. There was a Native Christian.

Mr. *Ryland.*

3138. No Europeans?—No Europeans or Eurasians.

Mr. *Stokes.*

3139. Would you be in favor of having an examination of Pleaders for each District Munsiffship?—No, I would not. The experience they would have after passing the test examination would be sufficient.

3140. Would it not be desirable to test their experience?—Not in my opinion. I think as Pleaders they gain sufficient knowledge.

3141. Suppose there were four or five men in practice all wanting to be Munsiffs; how must I choose between them?—I am not in favor of a competitive examination or of a second examination after the examination which qualifies for the office has been passed.

The *President.*

3142. Is there any other point on which you would wish to state your views?—No.

Khwaja *Mahomed Yusuf.*

WITNESS XL.—*6th January 1887.*

Examination of Khwaja MAHOMED YUSUF, Member of the Scientific Society, Aligarh.

The *President.*

3143. What is the Scientific Society of Aligarh?—Its object is to translate works of science and literature into English and the Vernaculars.

3144. How many members does it number?—Formerly there were many members, but now the number is about twenty or twenty-five.

3145. Are they all Mahomedans?—No, both Hindus and Mahomedans.

3146. Have you come to represent the views of the Society?—No, my own personal views.

3147. Are you a Pleader?—Yes, of the District Court at Aligarh, and I have passed as a High Court Vakil.

The Hon'ble Mr. Justice *Mitter.*

3148. Is there any dissatisfaction felt with the existing system of recruitment for the Statutory Civil Service?—Yes, there is.

3149. What are the grounds of this dissatisfaction?—There are several grounds.

3150. What are they?—In the first place that the pay is too low and the rules for pension are different.

3151. Any others?—The nominees hitherto selected have not received a high education. Their social intercourse with their superior officers is not the same as that of Covenanted assistants with their superior officers, and therefore the public do not regard them in the same light as Covenanted officers.

3152. That is all?—Yes.

3153. How would you remove these objections?—Government should make selections from men of good family and of social position, subject to certain conditions. Nominees should have passed the University Entrance Examination in India; after that they should be sent to England as a compulsory condition and required to take the B.A. degree at one of the English Universities. That degree is a sufficient qualification for men to hold offices which are reserved for Covenanted Civilians. Young men whose incomes are about Rs. 6,000 a year do not require any pecuniary aid from Government, but there are other persons of good family and social position who are unable to bear the expense, and who should receive pecuniary assistance from Government. Under these conditions Government would get men better suited for the work, abler men, and, at the same time, it would remove the objections entertained by men of good birth who cannot afford to go to England and say they cannot get into the Covenanted Service.

3154. These are the amendments that you propose to the Rules?—Yes.

3155. Have you any amendment that you wish to propose in regard to the Statute? Do you know that under the Statute the Government of India has the power to appoint persons only to specific posts and not to any service?—I am aware of that.

The Hon'ble Mr. Justice *Mitter*—contd.

3156. Is there any objection to the Statute on this ground?—No.

3157. You have no objection to the definition of the words "Natives of India" in the Statute?—No, I think the definition quite sufficient.

3158. Under this system you would have the selected men trained in England; to what posts would you appoint them on their return?—They should be appointed to the same posts as the successful candidates from England are appointed after passing the competitive examination. There should be no difference between their privileges and rights and those of the Covenanted Service, because if there is any difference the objections would still remain.

3159. Then for purposes of promotion and other privileges you would consider them as members of the Covenanted Service?—Yes.

Sir *Charles Turner.*

3160. The scheme which you propose would not be one contemplated by the Statute, yet you would not change the Statute. The Statute only confers the power on Government to appoint to such and such posts, to make certain appointments?—If my scheme is not permissible under the present Statute I would revise the Statute so as to make it permissible.

The *President.*

3161. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—There is some dissatisfaction. In the first place the limit of age is too low.

3162. What would you raise it to?—To at least twenty-three years, at most twenty-four years.

3163. Is there any other ground of dissatisfaction?—I would add Persian also to the subjects. I would raise the marks allotted to Arabic and Sanskrit to the same as for Greek and Latin. I am of opinion that Arabic and Sanskrit, especially Arabic, are by no means inferior, from a literary point of view, to Latin and Greek. A man educated in these languages is by no means inferior to men educated in European classics.

3164. Any other change?—No.

3165. As to the place of examination?—I would retain it in England.

Mr. *Stokes.*

3166. Are you acquainted with Latin or Greek?—No.

3167. Do you know Sanskrit?—I know Arabic, not Sanskrit.

The Hon'ble Mr. Justice *Mitter.*

3168. As to the Uncovenanted Service, which is meant to include Deputy Collectors, Tahsildars, Subordinate Judges and Munsiffs, should that service be recruited only from Natives of India as described in Statute 33 Victoria, Chap. 3, Section 6, or from all natural-born subjects of Her Majesty?—Only from Natives of India as described in the Statute.

The Hon'ble Mr. Justice *Mitter*—contd.

3169. How would you recruit this service, by competition, nomination, or a combination of both ?—I would appoint to this service by two different methods. First, the Government should have the right of appointment by selection of men who, though they have not passed any examination, have shown their ability and fitness for the appointment. I would retain the existing system of appointing to the posts of Tahsildars and Deputy Collectors as it is at present, that is appointment by an examination at which a certain proportion of marks qualify a Tahsildar to be appointed a Deputy Collector.

3170. How would you select the successful candidates ?—There may be four appointments open and eight qualified candidates. How would you select the four ?—I think that at present men are appointed by selection and afterwards they have to pass an examination. The same system should be continued.

3171. Would you recruit provincially or from all India ?—I would give preference to the Natives of a Province.

3172. Supposing the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service ?—I would give them to the Uncovenanted Service.

3173. As to Pay and Furlough Rules have you studied the subject ?—No.

Sir *Charles Turner.*

3174. Do you know how Tahsildars are appointed. Are you acquainted with the rules ?—As far as I know the rules, I think that at present the Board of Revenue selects men from the Peishkars and appoints them Tahsildars, and they are then required to pass a certain examination; if they fail to pass it they are sent back to their posts as Peishkars.

The *President.*

3175. Is there any other point on which you wish to express your views to the Commission ?—I have not answered the question about the appointment of Subordinate Judges.

Sir *Charles Turner.*

3176. What do you wish to say about it ?—I think that Munsiffs and Subordinate Judges should be recruited from members of the Bar, including Barristers, Vakils and Pleaders. I would not recruit exclusively either from District Pleaders or Pleaders of the High Court, but I would make both of them eligible for appointment, but I would appoint such men as had shown themselves able in their profession.

3177. Is there any other point in connection with the whole scheme upon which you wish to submit your views ?—No.

The Hon'ble *J. Woodburn.*

WITNESS XLI—*6th January 1887.*

Examination of the Hon'ble J. WOODBURN, of the Covenanted Civil Service; Chief Secretary to Government, North-Western Provinces and Oudh.

The *President.*

3178. You are Secretary to Government?—Yes.

3179. You come as representing the local Government?—I do.

3180. Please explain the figures in the official return of the Civil Service cadre which you have prepared? I see that in 1881 there were fourteen appointments under the Government of India; the estimate now made is thirty-one. I do not suppose you think it necessary the Government of the North-West Provinces should recruit on that strength?—It depends upon the demands of the Government of India, of which we are no judge. If they require thirty-one men we must give them. We cannot say whether they will require thirty-one or forty-two in future.

3181. What has the average been over a number of years?—I have no information, but can send a return if required. You have the figures for 1881 and 1886. There were fourteen then and there are thirty-one now.

3182. Can you tell me whether any of these men have been taken from these Provinces by the Government of India for the purpose of easing the block in promotion for a number of years?—The increase is no doubt partly due to that cause. I should be unwilling to make a guess as to what extent. I was not prepared for this question. There are three officers in the Accountant-General's Department taken away from the North-West in order to ease promotion. Eight or ten of the total probably belong to that category.

3183. Sub-divisional officers numbered in 1881, fifty-seven. How is the increase of nine made up?—I see you have included nine assistants not yet arrived, that is possibly the explanation?—No, because these assistants do not act as sub-divisional officers. The number was fifty-seven in 1881. I cannot at the moment give an explanation.

3184. Taking the list as it is, is it necessary that all appointments in your nominal list should be filled by European Covenanted officers?—That is the opinion of the Lieutenant-Governor.

3185. You have for instance, I believe, in Oudh four districts in which there is only one European officer. Are there no districts in the North-West Provinces similarly situated, which could do with one European officer?—Some are so I believe, at this moment, to the great inconvenience of the Magistrate.

3186. How does that inconvenience arise?—A European Magistrate holds a position which he cannot always fill in his absence from headquarters, and it is a support to him to have European officers with whom he can leave charge of the district. The Lieutenant-Governor is of opinion that it would not be suitable or desirable to substitute Uncovenanted for Covenanted officers in charge of a district on such occasions.

3187. In regard to District Judges, is it not desirable, in the Lieutenant-Governor's opinion, to substitute in some cases Native agency for European District Judge?—It is, and His Honor the other day wished to appoint a Native as a District Judge.

The *President*—contd.

3188. Then you would admit that some of the appointments of District Judge might be so filled up?—My instructions in regard to that answer perhaps you had better let me read:—

> Regarding the Civil Service, for which all superior appointments are now reserved, except where the reservation is qualified by Statute, the Lieut.-Governor is distinctly averse to reducing that service. He is quite willing to modify its constitution, which is by giving local facilities to Natives of India of merit and ability for entering it, as is now done under the Statutory Rules, but he is against diminishing that body (the body of the Civil Service) and increasing the Subordinate Service, now called Uncovenanted, because he thinks this would distinctly weaken the administration.

That was the answer he desired me to convey to you upon that question of introducing Natives into posts like Judgeships.

3189. It is surely not necessary that the Director of Public Instruction should be included in the cadre?—It is not necessary.

3190. The Director of Public Instruction would not be included in the recruitment for the service?—No.

3191. Can the same be said of the Registrar of Stamps, Registrar of the High Court, Director of Agriculture and Commerce?—Quite possibly.

3192. Private Secretary to the Lieutenant-Governor?—Improbable.

3193. Is it in the Lieut.-Governor's opinion necessary to include eleven members under the head "General" for the purpose of recruiting the Civil Service?—The views of the Lieut.-Governor given to the Commission are that at any time he will be prepared to take a Native of merit and ability and put him in any place superior to the Statutory Service. I have not heard him say there was any particular appointment he refused under any circumstances to give to Natives, or that there was any appointment he would under any circumstances give only to Europeans.

3194. It has been said that no appointments under 24 and 25 Vic. have been made, and that a proposal of your Government to make such appointments was negatived by the higher authorities. Will you explain the circumstances?—I am not sure that I can, because the correspondence to which this answer refers was altogether confidential with the Government of India. After I have answered the questions put to me I will give you a copy of the whole correspondence for your personal information.

Mr. *Ryland.*

3195. With regard to the orders of the Secretary of State as to the promotion of officers from the Uncovenanted branch into the higher grades, have they not prejudicially affected certain officers in these Provinces who had been previously considered eligible for promotion?—It is

Mr. *Ryland*—contd.

very possible they have acted prejudicially to their anticipations or expectations.

3196. They were well founded I suppose?—Quite possible. I am not personally aware of any expectations of the kind.

3197. There were certain officers declared eligible for service in the higher grades in the Commission. Have any of these officers been excluded from the higher appointments by the introduction of this rule?—I do not know. I was not in the Secretariat in 1879. I am not aware if these rules proved of disadvantage to men previously in the service.

3198. Ought not the Uncovenanted Service equally with the Covenanted Service to be open to all natural-born subjects of Her Majesty?—I think in his answer the Lieutenant-Governor referred you to the orders of Her Majesty's Government.

3199. Have you no opinion to offer as to whether these orders should continue in their present form?—We are now discussing the possibility of admitting Natives more largely into the service?—The Lieut.-Governor has authorised me to state that the existing orders should not be altered without very careful consideration.

3200. That is no answer as to the necessity for admitting them or not. Is there any instance in which an appointment has been made under Statute 33 Vic., Chap. 3 otherwise than at the bottom of the list?—No, one has been recommended to the Government of India, but we have not yet got an answer.

3201. Then during the whole period that the present Lieut.-Governor has been in office no person has been appointed up to this time except at the bottom of the list?—No, I have mentioned in answer to Sir Charles Aitchison that there was one officer to whom he desired to give a higher appointment under the Statute of 1861, but that it was negatived by the Secretary of State.

3202. There has been no occasion on which a reward has been given to the Uncovenanted Service for long and excellent service?—Except that the officers of the Uncovenanted Service all got a very considerable increase of pay under orders passed in 1882.

Mr. *Ryland*—contd.

3203. No instance in which the Statute has been used to give them a reward?—No.

3204. Is Government aware that that course was recommended by the Duke of Argyll?—It is, of course. The Lieut.-Governor has been continually pressing it on the Government of India ever since the correspondence began.

The *President*.

3205. Is not the recruitment of Covenanted Civil Servants excessive in these Provinces?—By no means: it is inadequate. We made a representation to the Government of India nine months ago, pointing out that we were much below strength, and that if some assistance was not given to us we should be in serious difficulties. The Government of India after consideration, admitted the correctness of our statement, and promised to make a recruitment somewhat larger in the next five years. In the meantime they offered to give us three Statutory Civilians instead of two, on condition that we could make nine nominations from these Provinces. The nine nominations have been made, and we now await the orders of the Government of India.

3206. Is not the cause of the deficiency of your recruited service that you have so many officers now working in other Presidencies?—Yes, but we are bound to come to the assistance of the Imperial Government on occasions of necessity.

Sir *Charles Turner*.

3207. I believe the Chief Commissioner of Assam was an officer of these Provinces?—He did not belong to the North-West Provinces.

3208. Mr. C. A. Elliott?—Yes, he was. But he had nothing to do with the additional officering called for last year.

3209. I thought Mr. Elliott called for the services of several of his colleagues for Assam?—I think there are only three Civilians from the North-West in Assam.

3210. Ordinarily the Chief Commissionership of Assam would be conferred on an officer of the Lower Provinces?—Probably.

WITNESS XLII.—*6th January, 1887.*

Babu *Sanwal Singh.*

Examination of Babu SANWAL SINGH, Munsiff of Samalpur.

Sir *Charles Turner.*

3211. Is the existing system of recruitment of the Statutory Service approved in these Provinces?—It is not approved by educated people; the general public know very little how Statutory Civilians are appointed.

3212. What is your opinion?—My opinion is that, if the Statutory Service is to be retained, the recruitment should be made from cadets of families that can boast of a very good and a very high pedigree. These appointments are not competitive and should be given to scions of ancient families, sons of Maharajas and Rajas. By having such men in the Government service we shall be able to secure a sort of influence over the great men of the country and the influential sections of the community. By giving the appointments only to graduates, Government may succeed in pleasing a certain portion of the educated classes, but there will be dissatisfaction. I want nomination, and this nomination should be made only from amongst persons of good ancient families.

3213. Should they have any educational qualifications?—Yes, educational qualifications are necessary in these cases. The men should be able to express their thoughts in intelligible English and to succeed at the departmental examination. It should not be made a necessity that the appointments should be given only to those who have taken degrees at a University. Politically, India is a country that is inhabited by various classes and by men of various social grades, and consequently it is very necessary for the Government of India, which is a foreign Government, to take all these points into consideration. If a man belongs to the family of the late Maharajas of Bahrampur, Benares, Holkar or any other such Raja, his appointment would enable Government to secure the sympathies of thousands. I want nominations from good families, with the qualification that they can express their thoughts in English and pass the departmental examination.

3214. You do not think the Statute should be reserved for rewarding men of proved merit and ability in the Uncovenanted Service?—No.

3215. You would not use the Statute to promote to the Covenanted Service men of proved merit and ability in the Uncovenanted Service?—No.

3216. Do you know the Statute under which the Statutory Civil Service is supposed to be constituted? Have you read that Statute?—Yes.

3217. That says the local authorities may appoint Natives of proved merit and ability to posts reserved for the Covenanted Civil Service. Would you keep the Statute to reward persons who have shown merit and ability in the Uncovenanted Service?—Yes, if a sufficient number of men of good, high families could not be obtained in order to fill up the one-fifth of appointments thrown open; in that case men of proved merit and ability from amongst the Uncovenanted Service should be promoted; but in giving promotion from the ranks of the Uncovenanted Service, the officer promoted should not be made to commence at the bottom with Rs. 200, Rs. 250, or Rs. 300. To promote a man getting Rs. 800, a Deputy Collector of the 1st grade or a Subordinate Judge, he should be made a Joint Magistrate on Rs. 1,000 or a District Judge, or appointed to any other office that may be thrown open to the Natives. If any dissatisfaction is prevalent as to the appointment of Statutory Civilians, that dissatisfaction prevails only in the minds of the educated classes and not among the general public.

Sir *Charles Turner*—contd.

3218. Is there any dissatisfaction felt among the Statutory Civilians themselves? Are they satisfied with their position?—The Statutory Civilians, so far as I know, are quite satisfied with their position; if they are not, they ought to be. Everybody in the world wants to be made Governor-General of India: that is impossible. I must however give my history in order to enable me to be understood by the Commission. I am a Rajput by caste and a Native of Ghazipur. I read up to B.A. in the Benares College with Mr. Griffin. After leaving College I took service under the Maharaja of Bahrampur, and served under him for two years as Private Secretary, when I had the honor of becoming acquainted with the Chief Commissioners Sir Charles Wingfield and Colonel Barrow, and the late Mr. Sparkes, Judicial Commissioner, and a good many other Civilian officers. I had also the honor of becoming acquainted with many Rajas, such as the late Maharaja of Gwalior, and the present Maharaja of Dholepore. After giving up this appointment I was appointed a teacher in Canning College, Lucknow, where I served for six years. Some of my pupils are now Covenanted Civilians; one is a Statutory Civilian.

3219. What was your next employment?—As a Pleader. I served as Clerk of the Judge's Court and passed highest in the Law Examination of the Calcutta University. I also passed the High Court Pleaders' Examination, North-West Provinces, and I am now serving as a Munsiff. For one year I served as Deputy Collector, and was placed in charge of a station by the special order of Government.

3220. What is the cause of the dissatisfaction?—The first cause is that English education engenders a republican spirit. It is that republican spirit which makes the educated think that, if any appointment is thrown open by the Government of India to the Natives of India, Natives should be appointed without distinction of caste, creed or social fitness; that all should alike fill such appointments. But the political circumstances of the country do not permit that all the appointments should be thrown open for the educated classes. The second ground of dissatisfaction is that the persons up to date appointed Statutory Civilians are not superior to men in the Uncovenanted ranks. There are educated men who have entered

Sir *Charles Turner*—contd.

the Uncovenanted Service, and they know very well that a man who has not passed his entrance examination or taken his degree in the University is allowed to be appointed a Statutory Civilian, while a man of proved merit and ability in the ranks of the Uncovenanted Service does not get such an appointment. That is another cause of dissatisfaction. Up to this time those known as Statutory Civilians are not very influential persons; they may be sons of Rajas but they are not sons of influential Rajas who can at a word bring together one thousand or two thousand men. There are titular Rajas rather than territorial Rajas. So far as I know, there are no other grounds.

3221. As to recruitment for the Covenanted Civil Service, is any dissatisfaction felt with the existing system?—There is no dissatisfaction with regard to the manner in which Covenanted Civilans are recruited. If there is any dissatisfaction it is that persons who now come in are of unripe judgment, too young. Natives of India of older times, the times of our forefathers, have been accustomed to see these high appointments filled by older men. Older men are more respected than the younger. A man of twenty-two years comes from England, he has not seen the country to which he has been appointed, he has not seen its people or its towns, yet he is at once invested with first class powers and made a Magistrate. Educated Natives think the examination for the Covenanted Civil Service should be held in England, that it should not be held in India. If the examination continues to be held in England, Hindus and others who have objections to go to England will be induced, by the prospect of entering the Covenanted Civil Service, to go there. If an examination is held in India Natives will not go to England, and they will be deprived of the profits they would derive from travel and from contact with civilized nations. These are my views.

3222. Would it result in loss of caste among people of your caste if a man crossed the ocean and went to England?—At present it would, but with the spread of education this feeling will gradually disappear. It is already disappearing.

The *President.*

3223. Would you object to your own son going to England?—As regard myself I should not like my son to go to England, because on his return he would be excommunicated, he would find himself placed between two fires, he would not be allowed to mix with Natives or Europeans. He would thus find himself placed between Scylla and Charybdis. Such is the view of Khatris and Brahmans. One or two have gone to England, but they are exceptions to the general rule, and it was with much difficulty that they got back into caste. Properly speaking they have not got back into caste. The wealth of one or two men has enabled them to marry among their own caste; had it not been for their money they would have been excommunicated. The examination should, however, be held in England; and if the Government of India decided to have an examination in India, those who passed should be compelled to go to England to pass there also. If they are not graduates of any University, they should study there for two or three years.

The *President*—contd.

3224. Supposing the examination is held in England, should there be any change in the subjects of examination?—Latin, Greek and the Continental languages I would like to have removed from the list, so far as Natives only are concerned. The vernaculars of India, Sanskrit, Persian and Arabic, should be made optional subjects and the same marks assigned to them as to Greek, Latin and Continental languages respectively.

3225. Would you give any assistance to enable candidates to attend the English examination? If so, what?—A civilized Government should not help to enable persons to compete in examinations. Everybody must educate himself to compete at an examination at his own cost. A man must lay out his own riches. If Government think it proper to help Natives in any way, they should help them after they have passed the ordeal successfully. I think money should not be given to a man to enable him to go to England to compete at the examination.

3226. Should not the object of Government be to secure the best talent? Might it not happen that the best candidate might thus be prevented from going to England?—Yes. Scholarships might be founded. It is not one of the duties of Government to provide scholarships. These must be provided by the people of Hindustan, but some pecuniary help would have to be accorded to candidates. After passing the examination, no doubt, help should be given.

3227. The same as is given to English students?—Yes.

3228. Would you recruit the Uncovenanted Service only from Natives of India as defined in the Statute, or from all natural-born subjects of Her Majesty?—As regards members of the Uncovenanted Service they should be recruited from all natural-born subjects of Her Majesty, the English, Irish and Scotch excepted. Living in India is more costly to a European than to a Native; his mode of living is quite different, the cost of exchange is very heavy upon his purse, the expenses of his wife are very heavy; Native women do not want a phæton and pair, for instance; and consequently to allow an Englishman to compete for and to enter the Uncovenanted Service, where, as a matter of certainty, he will get only Rs. 200 a month, would not be right; and these appointments should not therefore be given to Englishmen, Irishmen, or Scotchmen. They should not compete for the Uncovenanted Service, because the pay is very low. If Government undertook to raise the pay to Rs. 400, let them compete; if not, the result would be bad. That result can be more easily imagined than described.

3229. The pay being insufficient, they will be open to numerous temptations?—The result will be that they will be unable to live on Rs. 200, and they will either take bribes or they must increase their pay in other ways. I would not exclude the Parsis. The Australians are English, Scotch or Irish. These appointments should never be given to them. Their mode of living is similar to that of Englishmen. I would include Colonials in the same class as Englishmen. I would say exclude Europeans and Colonials,

The *President*—contd.

English and French Colonials. The Eurasians, no doubt, are a race who will continue to rise, and who in thirty or fifty years will become a substantial class. These men are settled in the country and are domiciled Europeans.

Mr. *Ryland.*

3230. Take the case of a European settled in the country permanently?—Those Europeans should not be admitted into the service; a European, whose father has come to live permanently here, even if he has changed his mode of living to a certain extent, could not liveon the pay; you will give him Rs. 200 only as Munsiff, and if appointed Deputy Collector he will commence on Rs. 250. On Rs. 200 a month it is impossible for a European to live in India.

3231. Has a Native no expenses? Does not his daughter require to be married? Does not she want ornaments?—Yes, all those Natives who have not received a good English education are considered, and have been considered by the general public, to be corrupt. But there are exceptions, no doubt, to the general rule. Even now justice administered by Europeans is more liked than justice administered by Natives. If they occasionally fail in the distribution of justice they are successful in nine hundred and ninety-nine cases out of a thousand. Even then it is due to a wrong interpretation of the law or a wrong understanding. Those Natives who have received a good English education are certainly generally honest, very honest, and they are proud of their honesty, which can no doubt rank with that of Europeans. A Native on Rs. 200 in the Government service, such as a Munsiff, can live on Rs. 200 very well. He can educate his sons as gentlemen on Rs. 150 or Rs. 200, but a European cannot live upon it. I would exclude Europeans.

Sir *Charles Turner.*

3232. How would you have admission to the Uncovenanted Service regulated, by nomination or competition?—As to Tahsildars, half the appointments should be competed for by educated men, and the other half left to the patronage and nomination of Government, in order to recruit ministerial officers of proved merit and honesty.

3233. You would have a selection by competition for one-half of the appointments?—Yes.

The *President.*

3234. Should competition be open to all India or only to Provinces?—Competition should be open to all for half the number of appointments.

3235. Would you have it provincial?—No, open to all India. I am not in favor of what people call provincial appointments. It is the general cry of Natives of these Provinces that a Bengali will carry the place if he is allowed to compete for a Tahsildarship in the North-West. That is a great mistake. A Native of these Provinces is not inferior to a man of Bengal; he can compete at an examination. Look at the result of the Calcutta University Examinations. It clearly shows that men from Canning College, Muir College and Agra College graduate the same as Bengalis and take high places.

Sir *Charles Turner.*

3236. You have been a teacher for some time?—Yes, and some of my pupils have taken high degrees.

The *President.*

3237. How would you select Deputy Collectors?—Deputy Collectors should be recruited from the ranks of Tahsildars. Half the appointments from Tahsildars should be given by open competition, half by nomination to persons of good family and to men who can boast of high pedigree. Any man who wishes to enter the ranks of the Uncovenanted Service should do so as a Tahsildar commencing on Rs. 150. He should not at once, as at present, be appointed a Deputy Collector on probation. Honorary Deputy Collectors who get no pay do not serve with the same assiduity as paid servants. I object to these unpaid appointments. Any one who wishes to enter the service should do so as a Tahsildar, and rise by promotion.

Sir *Charles Turner.*

3238. How would you choose your Munsiffs?—By recruitment from Pleaders practising as Pleaders of the High Court, or who have passed the Pleaders' Examination, and B.L.'s of the Calcutta University. These men should be appointed as Munsiffs. I am entirely opposed to the appointment of District Court Pleaders. The legal attainments of persons practising as Pleaders in the districts are not very high, the reasons being that these men have never studied jurisprudence, never had opportunities of looking at international law, have never read Blackstone or advanced works on law, and their knowledge is confined to a mere smattering of such Acts as they have read.

3239. Would you have any competition?—The nomination should be left to the High Court.

3240. You would have nomination left to the High Court, but how is the High Court to know of young men who have not practised before it?—They would appoint one who has taken the degree of B.L. or passed the High Court Pleaders' Examination.

3241. How is the High Court to distinguish who is best qualified?—Those gentlemen who have pleaded before it would see the Registrar sometimes, sometimes the Judges, which would enable them to form an opinion of them. Persons seeking these appointments would not be men doing no work.

3242. What about Subordinate Judges?—I would make these appointments from Munsiffs. I would not appoint directly from the Bar. There are no doubt shining men at the Bar, but then these men must serve the Government for twenty or thirty years. Because a man shines at the Bar he has no right to succeed to these appointments. If the Statutory Civil Service is abolished, persons of the Uncovenanted Service should be promoted to those appointments which are now held by Covenanted Civilians and which Government might think proper to throw open to the Natives; but at the same time I have also to say that all appointments should not be thrown open to the Natives. It is very necessary, the Government being a foreign Government, that every district should always remain manned with at least two European officers, one of whom

Sir *Charles Turner*—contd.

should always be District Magistrate, the other his Assistant or Joint Magistrate. This is necessary on political grounds as well as on other grounds.

3243. Then what about the District Judges?—These appointments must be thrown open to the Natives. It is the general idea amongst the Natives that civil justice is better administered by Natives, who know thoroughly well the people and their manners and customs, than it is by English District Judges. Persons appointed as District Judges have never before had a training in the practice of law. A Joint Magistrate is appointed a District Judge. Criminal justice is administered better by European Judges than by Native Judges. The reason is that very good men have not as yet been appointed as Deputy Collectors; but those men who have received a good English education, who have thoroughly read law, those no doubt do criminal work in the same way as Europeans. In this Province there are many Deputy Collectors who have had no previous training in law.

3244. Would you yourself prefer to serve in a district where there was a European District Judge or in a district where there was a Native District Judge?—On what point would you like to know?

3245. Would you feel more confidence if you had an English Judge at the head of the judicial administration in your district?—In case these District Judgeships are thrown open to Natives, the Natives appointed should be made subordinate to the District Magistrate, but gentlemen should not go on appeal to him as regards communications with the High Court, but the Native District Judge should be considered an officer of the district under the Collector. He should not be considered as an officer entirely independent of the Collector. I would then feel more protection, more confidence.

3246. You say you would prefer to have an English officer over you rather than a Native Judge, that you would be more independent; what is the reason that you would feel more confidence?—An Englishman, a European, is a member of the conquering race, carrying more prestige than a Native. If I work with a European and go with him to a place where there is any darkness I would feel more confident.

3247. Do you also feel that a European, if you did your duty, would be more powerful to protect you?—Yes, a European is more powerful to protect men than a Native. The reasons are patent.

Sir *Charles Turner*—contd.

3248. Do you not also think that there are some Munsiffs who would be greatly assisted in the administration of justice if they had European supervision over them? It has been said that the Native subordinate judiciary are exposed to much temptation from social influences. Would they or would they not be in that case?—That is not the case with educated Munsiffs.

3249. It is not the case you say with regard to highly-educated Natives?—No.

3250. But with regard to the ordinary run of officers?—Such is the case.

3251. Would not the less educated Munsiffs be able to do their duty with more independence if they had at the head of the judicial administration an English officer? Do not say "yes," if you do not think so.—They would do their duty in the same way whether the District Judge was a Native or a European. That would make no difference. Under a Native District Judge the Munsiffs and Subordinate Judges would be more careful in their movements, more cautious in their proceedings, than under a European Judge, because he would be better acquainted with their character and have opportunities of hearing of their action.

3252. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service accordingly as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted branches?—There must be some distinction in the pay between a European and Native; a Statutory Civilian ought to get at least one-third less pay than a Covenanted Civilian. The reasons are because the mode of life of the latter is different, his mode of living is costly, and, as I said before, there is the necessity of remitting money to England. If a person of the Uncovenanted Service is raised to the rank of a Covenanted Civilian his pay should be one-third less. As regards Furlough Rules, they ought to be more favorable to Europeans than to Natives, because a European has to go home or to a sanitarium. A Native generally only takes leave when he is forced to do so.

3253. Is that all you have to say?—The Statutory Civil Service ought to be abolished, and men of the Uncovenanted Service should be raised to posts not now open.

WITNESS XLIII.—*7th January 1887.*

The Hon'ble *M. A. McConaghey.*

Examination of the Hon'ble M. A. McCONAGHEY, of the Covenanted Civil Service; Commissioner of the Lucknow Division.

The *President.*

3254. You are Commissioner of Lucknow?—Yes.

3255. Of how many years' standing in the service?—Twenty-five.

3256. You are now a member of the Legislative Council of the North-West?—Yes.

3257. Are you able to say whether the existing system of appointing Native Statutory Civilians is generally approved or disapproved?—If you mean by the Native community, it is disapproved.

3258. Will you kindly state what the objections are?—They have two or three objections, the chief objection being that the appointments are too few to satisfy them; and there is also, I think, a feeling among the educated class that they have been left out in the cold. I mean that sufficient consideration has not been given to educational requirements; and, as regards the members of the Uncovenanted Service themselves, well, we have had no appointments from that body.

3259. These objections would refer to the rules?—Yes. I do not think any objection is taken to the Statute itself, except, perhaps, that the appointments are specific. I think they would like to have them made to a regular service.

3260. Is there any objection to the definition of "Natives of India" on the ground that it does not permit of subjects of Native Feudatory States being admitted, for instance; nor of some Europeans either, owing to the accident of their birth?—That would be my opinion also. I would not exclude the subjects of these States, nor Europeans born in England and brought out here.

3261. Young men of good family enter the Statutory Service?—Yes.

3262. Do you think they are superior in ability to the men who occupy posts in the Uncovenanted Service of this Province?—I have had a good deal of experience of them, five out of seven having served under me personally, and I think they are certainly above the average of Uncovenanted men.

3263. How would you alter the rules so as to remove the objections you have indicated? Would you have a system of competition limited or unlimited?—No. I would retain the system of nomination and leave the hands of Government unfettered.

3264. You say the educated classes do not think themselves sufficiently considered? What do you think would satisfy them in that respect?—I think they might draw the line at the F.A. Examination.

3265. And having got your selected men in the service, would you send them to England for special training?—No.

3266. Would you give them any facilities for going?—If they wished to go I would allow them to do so, but I think they lose touch to some extent with their fellow-countrymen, although the training in England may not do them as much harm as they would gain good from it.

The *President*—contd.

3267. Would you put them through a period of probation before confirming them in their appointments?—Not in the case of men of proved merit and ability.

3268. But as regards the young men, would you bring them in straight from the Bar, for instance, to judicial appointments?—I do not see why we should not. I would not restrict the appointments to any class.

Sir *Charles Turner.*

3269. Do you not think that a system of limited competition, that is to say, competition after nomination, would give greater satisfaction to the Natives of this province and secure equally fit men for the Statutory Service?—Well, under such a system, the men I contemplate, that is, the men of good family, would go to the wall, and the University men, if any such men should be selected, would be certain to pass higher than the others. I think we should not get the men we want.

3270. Suppose you were to select members of families of tried loyalty and distinguished service to Government,—persons of good social status and influence in this country, and persons of superior educational attainments, and then let them compete?—In that case the persons of superior educational attainments would get all the appointments.

3271. Would you not get as good a class of men for the Statutory Service as we do now by the present system of nomination?—I do not think so; I prefer the present system.

3272. Take the case of this Province. Nine names have recently been sent up by the local Government to the Government of India. Would it not be more satisfactory to the Natives of this Province if these men should be allowed to compete between themselves for a share of the appointments?—I think the Native witnesses could tell you more about that than I can.

3273. But would it not be fairer?—I would rather leave it to the Government to decide.

3274. I am speaking now of the class out of whom are chosen Statutory Civilians in this Province; would it not be fairer, there being more persons of this class than the appointments available, to allow them to compete for the appointments between themselves?—I would rather leave it to the Government.

The *President.*

3275. Is there any dissatisfaction felt, so far as you are aware, with the present system of recruitment for the Covenanted Civil Service?—I have not heard of any.

3276. Do the Natives of this Province regard this system favorably?—If the limit of age were extended and the subjects of examination modified somewhat, I think they would.

The *President*—contd.

3277. Are there any disadvantages under which Natives labor in competing for employment?—There is the limit of age and also as regards the Latin and Greek papers. Of course European candidates have greater advantages in that respect.

3278. Are there any other disadvantages known to you?—I know of no others.

3279. What limit of age would you fix?—For the maximum I would fix twenty-one years.

3280. What alterations would you make in the subjects of examination?—I would, if possible, give Arabic and Sanskrit almost the same weight as Latin and Greek, by raising the marks at present allowed to them.

3281. Can you say whether young men go freely from this part of India to compete?—I think the young men themselves would go freely; but whether their parents and guardians like it is another thing.

3282. Are the objections entertained by Hindus against a voyage to England general among that class or confined to any particular section or caste of it?—I think all or nearly all the higher caste Hindus object to it; all the orthodox Hindus certainly. But I think the rising generation would not object to going at all. On the contrary they would be delighted.

3283. And for those who go to England would you have the same examination as for the English candidates?—Yes.

3284. Are you in favor of holding a simultaneous examination in India?—No.

3285. What are your reasons for objecting to it?—I think it would not be fair, having regard to the different stages of educational advancement of the various provinces.

3286. Would an open competition be objectionable on political grounds?—Of course it would. The Natives of this Province, especially the Hindus, would not like to see certain classes admitted into the service at all. I refer you to Raja Shiva Prasad's memorandum for their views.

3287. Do you consider that there are many persons in the Uncovenanted Service of this Province whom, by reason of their merit and ability, it would be proper to promote to Covenanted posts?—A certain number certainly; a few from among the older servants, and of those who have come into the service later, a great many. I mean we are getting a better class every day.

3288. Have you any experience of the young Native Civilians who have passed in England?—There is only one of them in this Province and I have never seen him.

Mr. *Nulkar*.

3289. You say the rising generations have no objection to going to England, but that their parents and guardians have?—I mean to say that ideas are changing.

3290. Would the objection on the part of parents and guardians have the effect of deterring young men from going?—We cannot tell. It would vary with the attainments of individual members of the class referred to.

3291. If the limit of age is raised to twenty-one do you think that more Natives will offer themselves for examination in England?—I do not know about that. I say it is fairer to raise the age and let them take advantage of it if they wish.

Mr. *Nulkar*—contd.

3292. Would you offer them additional facilities for going to England?—Yes, I mean the raising of the age would not at once do away with the prejudices, but in time it must have that result.

3293. What class of people would go?—Only the better class, I think, at present, supposing of course that they can afford to go.

3294. Would they be from the same class whose preponderance you fear, should the examination be held in India?—I suppose so. For a time it would be so.

Mr. *Peacock*.

3295. When you say you would raise the limit of age I understand you to mean for all classes?—Yes.

3296. Would you do anything to assist Natives to go to England in the way of scholarships or allowances?—It might be done, but I do not see why it should. I would prefer to let them go on their own merits. Parents in England have to educate their sons; why should they not in India?

Mr. *Crosthwaite*.

3297. You are in charge of the Lucknow Division?—Yes.

3298. Do you consider yourself over-officered in the matter of Covenanted Civilians?—On the contrary we are under-officered.

Sir *Charles Turner*.

3299. You said you thought there were men now in the Uncovenanted Service, and men who have lately entered it, who would be fit to hold posts in the Covenanted Service. Did you refer to any posts in particular?—I do not know. It is of course difficult to say, not having tried the men. Perhaps I would let them in as Joint Magistrates and see what they were fit for.

3300. Do you refer to officers of Asiatic parentage?—Yes.

Mr. *Stokes*.

3301. Have any of the five Statutory Civilians, who were, you say, serving under you, ever to your knowledge complained that the pay they got at starting was not sufficient to meet their expenses?—Never.

The *President*.

3302. Confining your answer to the Uncovenanted Service, as it is meant here, that is to say, Deputy Collectors, Tahsildars, Subordinate Judges and Munsiffs, would you recruit that service from Natives of India only, as described in the Statute, or from all the natural-born subjects of Her Majesty?—I would admit all.

3303. Are you aware of the orders of 1879 which forbid the employment of European officers in any post in the Uncovenanted Service, the pay of which is over Rs. 200 without special sanction?—I am.

3304. Can you say what effect they have had on the Uncovenanted Service? I mean do you consider it necessary that there should be a proportion of European officers in that service?—It is not absolutely necessary, but I would not keep them out of it.

The *President*—contd.

3305. How would you recruit for the Uncovenanted Service, by nomination, competition or by both systems combined?—I think a mixed system.

3306. Would you make any alteration in the present rules in that respect?—No.

3307. Either for the judicial or the executive service?—I think the present rules are very fair.

3308. Do young men of good family readily take service in the Uncovenanted ranks?—Very readily. I think just as readily as in the Statutory Service. I have never heard of any refusal. There is one thing I forget to mention, and that is, I would like to see the pay of the Tahsildars and Munsiffs raised, specially the Tahsildars. It is a very important post, almost more so than Deputy Collector. I think if the pay were raised we should get better men.

Sir *Charles Turner.*

3309. Do you find that professional men, members of the Bar, readily enter the service as Munsiffs?—Yes.

3310. Have you any experience of Native officers in charge of sub-divisions?—Only of one.

3311. And how did he do his work?—He was an exceptional Native and did very well.

The *President.*

3312. Supposing the Statutory Service should be abolished, would you re-absorb the appointments at present given it in the Covenanted Service or allot them to the Uncovenanted Service?—I would allot them to the Uncovenanted Service, but I should not like to see the Statutory Service abolished. I think it is a very good service.

3313. Suppose for instance, that the Statutory appointments, with any other that might be taken from the Uncovenanted Service, should be amalgamated with the higher appointments in the Uncovenanted Service, so as to make an enlarged Covenanted Service, without a Statutory system at all. Would you approve of that?—I think that, at any rate, the Uncovenanted Service above the rank of Tahsildar and Munsiff should be all one with the Covenanted; the responsibilities are the same.

3314. But suppose, instead of having these services, you reduced the Covenanted Service to the extent the Government considers practicable and amalgamated these reduced appointments with the upper Uncovenanted Service and with the Statutory Service?—I would see no objection to that.

Mr. *White.*

3315. Are there many domiciled Europeans and Eurasians at present employed in the higher Uncovenanted Service of this Province?—Not many; about five per cent.

Mr. *Ryland.*

3316. Have they not recently been excluded from those posts?—Since 1879 Europeans have been excluded.

3317. Do you not consider it necessary to have some Europeans in the Uncovenanted Service?—Not if we had a sufficient number in the Covenanted Service. I should prefer to see the Covenanted Service brought up to its proper level.

Mr. *Ryland*—contd.

3318. But in case that should not be done?—I would like to see some proportion of Europeans in the Uncovenanted Service; but I say, admit all classes into it.

3319. Have you ever met with an instance of a Native officer applying for the services of a European officer in times of difficulty?—I have met with a good many such instances.

3320. And have you met with many instances of Natives applying to have cases transferred from Native officers to European officials?—Yes, I suppose it is an every-day occurrence.

The Hon'ble Mr. *Quinton.*

3321. Do you think that in case the Covenanted Service should be further reduced, an adequate substitute would be found in an increased number of European officers in the Uncovenanted ranks, of the class who would take service in those ranks?—I do not think it would, and they would not be a better class either.

3322. Who does the treasury work now?—Natives generally, and in the large treasuries Europeans and Eurasians, because they have been longer at the work and have more experience.

3323. Is the work done satisfactorily by Natives?—Yes.

3324. And the treasury work would be no reason for bringing Europeans into the service?—No.

3325. Is there any district in your division in which you have only one such European officer?—There is one at present, one out of three. In the leave season, as a rule, in all Districts the work is done by one officer.

3326. Does that give rise to inconvenience administratively?—The work goes on of course, but not so satisfactorily as if we had two.

3327. What happens if a man gets ill?—Then we ask Government to send another.

Mr. *Crosthwaite.*

3328. Do you know any Native Deputy Collector in the Uncovenanted ranks to whom you would entrust one of your small districts?—I should not like to do it.

3329. You said you had had a Native in charge of a sub-division?—Yes, and he did very well. It was in the Karwi sub-division.

3330. He would be some distance from the head office, would he not?—He had no European superior within forty miles.

3331. How long was he in charge of Karwi?—Only three months.

3332. Is it an important sub-division?—Not very.

3333. There is not much difficulty connected with it?—No, because it is near Allahabad and within range of the railway.

3334. What is the area of it; about a third of the Banda District?—More than a third, because we have so much forest and waste.

3335. What, as near as you can say, were his responsibilities?—Much the same as those of a Joint Magistrate.

3336. Did he take the police reports of the sub-division?—Yes.

3337. And did he pass immediate orders on them without recourse to you?—Executive

Mr. *Crosthwaite*—contd.

orders he did, but I should add that it was not in my time that this gentleman was in charge of Karwi.

3338. Then how can you speak for him?—I have heard about him, known him personally also, and know what he is fit for.

3339. Is he quite an exceptional man?—No. I know two or three men as good as he.

3340. You said you disapproved of any scheme which should take appointments away from the Covenanted Service, and throw them into a separate service of which the upper ranks of the Uncovenanted Service would form part?—I think the Covenanted Service is under-officered as it is, and I don't therefore approve of any further reduction.

3341. I understand you to mean that you would rather approve of the reverse method of taking the higher appointments of the Uncovenanted Service and putting them on to the Covenanted ranks?—No

Sir *Charles Turner.*

3342. Did this Native officer whom you mentioned as being in charge of Karwi, perform, so far as you know, the same duties as a European Joint Magistrate would have performed?—Yes; in subordination to the Magistrate of the district of course.

3343. You were asked if you knew any Native Deputy Collector serving under you whom you would be inclined to put in charge of a district or sub-division. Do you know any Eurasian or European Deputy Collector serving under you whom you think fit to receive such a charge?—I have not sufficient experience of them to be able to say. I have never had a European under me.

3344. You know that a considerable number of young men, the sons of officers serving in India, and of professional men or merchants residing here, come to this country in search of employment?—I know of some.

3345. And that they accept employment in the police?—Yes.

Sir *Charles Turner*—contd.

3346. On what salaries do they commence in the police?—I think it is Rs. 200. Some of them have accepted Inspectorships in the police commencing on Rs. 100.

3347. Do you think such men would not accept appointments in the Uncovenanted Service?—I suppose they would do so willingly, but they have not been allowed to take them.

3348. I ask you this question in reference to a portion of your evidence where you were asked whether European subordinate agency could be introduced in substitution of Covenanted European agency, and you replied that you thought no Europeans would accept the pay, and that they would be of a lower order if they did?—I meant lower order of attainments, not lower as a class.

3349. Have you known any of these young men as police officers?—Yes, I think I have had experience of two of them.

3350. Were they men of energy and fair intelligence?—They did not do their work very well. They had not had experience.

The *President.*

3351. In your opinion did the administration in any way suffer owing to the employment of a Native in charge of a sub-division for three months?—No.

3352. Karwi is a sub-division usually officered by a European Covenanted man?—Yes.

3353. Is it necessary in your opinion that Karwi should continue to be officered by a Covenanted officer?—No.

3354. Do you know Kussoa sub-division?—Yes.

3355. Is it much the same in extent and importance as Karwi?—Much the same.

3356. Have you anything to say as regards pay and furlough?—No, except that I think the present rules are quite sufficient.

3357. Have you anything else to submit or has this exhausted your evidence?—I have nothing more to add.

WITNESS XLIV.—*7th January, 1887.*

A. H. Harrington, Esq.

Examination of A. H. HARRINGTON, ESQ., of the Covenanted Civil Service, Commissioner of the Rai Bareilly Division,

The Hon'ble Mr. *Quinton.*

3358. You are a member of the Covenanted Civil Service?—Yes.

3259. Of what standing?—Twenty-four years.

3360. You are at present Officiating Commissioner of Rai Bareilly in Oudh?—Yes.

3361 What appointments have you held in the course of your career?—I was three years in the Indian Secretariat, and during the whole of the rest of my service up to my present appointment I served in districts; for a short time as an Assistant Commissioner, and for a short time as Settlement Officer; and as Collector and Magistrate, I am now in charge of a division.

3362. You are perhaps familiar with the system of appointing Statutory Civilians in this Province?—I know something of the system.

3363. Have you seen many of these young men in the Statutory Service?—I have only known one in the least well and have seen another casually.

3364. Have you heard any opinion expressed by Natives generally, whether of satisfaction or dissatisfaction, with the present system of recruitment for this service?—Not directly expressed to myself, but one hears partly through Native newspapers and partly it comes round that dissatisfaction is felt.

3365. By whom?—Primarily by the candidates themselves and the persons who are chiefly interested in them, and look to them as representative men.

3366. What are the grounds of dissatisfaction?—I should think the chief grounds as regards the Statutory Civilians themselves and the people who, I said, look to them as representatives, is that they are not treated well enough, and that beyond the people who are immediately interested in them the service is looked upon as a half-and-half sort of thing.

3367. That is to say, we do not get the best men we could, and having got them we do not treat them well enough?—Exactly.

3368. Would you advocate any changes in the present system in order to meet these objections?—Certainly.

3369. What changes?—Beginning with the first point, that of selection, I would read the word "nominated" in the first rule as capable of being interrupted as including preliminary nomination and final nomination; and for preliminary nomination I would select a considerably larger number of men than I should finally nominate by means of some system of competition applied to those preliminary nominees.

3370. Then you advocate, in fact, a system of nomination followed by competition among Native candidates?—Just so; my drift was that you should not revise the rules more than you can help. If the word "nominated" can be interpreted in that way, do not revise it, but otherwise revise it so as to admit of that interpretation.

3371. Are you acquainted with the provisions of the Statute under which they are appointed?—I have read Section 6 of it two or three times.

The Hon'ble Mr. *Quinton*—contd.

3372. Would you alter the definition of Natives of India in that section?—I am not clear about that.

3373. At present it excludes Natives of Feudatory States such as Rampore?—I entertain no strong opinion about it, but I am inclined to say, for the present exclude them.

3374. It also excludes Europeans not born and domiciled in India?—Certainly, I would not include such persons, and I am not at all sure that I would admit Europeans who are domiciled in India.

3375. Would you then restrict the definition to that extent, because at present we admit Europeans domiciled and resident in India?—If it admits them at present, I would not alter it.

3376. Are you yourself satisfied with the Statutory system?—I am satisfied with it in one way and altogether dissatisfied with it in another. I am satisfied with it so far as it represents a very distinct step in advance and the stepping stone to something distinctly better. But it wants revision, and I think the time has come for such revision.

3377. Would you alter it in other respects than those you have advocated?—Certainly, because from my point of view you only come to the question of the Statutory Service after you have failed to get your recruits through the door of competition at home. I would only keep the service for those who cannot get in by competition in England.

3378. Would you alter the mode of recruitment in England in any way?—Yes.

3379. And if after doing so you failed to secure a certain proportion of Natives, would you modify the rules which regulate the present Statutory system?—Yes.

Mr. *White.*

3380. Don't you think a better system and one to hand is to recruit from men of thoroughly tried merit and ability in the Uncovenanted Service?—It is impossible to answer that question unless the ground is first cleared by saying, is there any idea of abolishing the Civil Service or not? If there is, I say bring in men from everywhere. But if you are going to treat the Statutory Service as an integral part of the Civil Service, treat the Statutory Civilian in all respects as you would a member of that service, and do not appoint in any other way.

3381. Would you or would you not appoint men of tried merit and ability in the Uncovenanted Service to the Statutory Service?—At present I am against its being done, as far as I have looked into the matter. My chief objection is the extreme difficulty of doing it without disappointing or discouraging the men you have got

Mr. *White*—contd.

in the junior grades and without also lessening the attractiveness of the service, whether open or Statutory, for the ordinary candidates under twenty-five years of age.

3382. But you are aware, no doubt, that the Statute permits the appointment of such men at the present moment?—I would prefer to see that part of the Statute a dead letter. I understand I am being asked whether, if that portion of the Statute which permits the admission of candidates above the age of twenty-five, of distinguished service, is actually worked, my object would be attained that way, I say it is a dangerous system, and I think a bad system. Because you do more harm by it to the general service than you do good to the individual who is advanced.

3383. Which general service?—I refer to every member of the service into which the outsider is brought. You injure the service in two ways: first by diminishing the value of the posts which are objects of ambition to the Statutory and competition candidates alike; and, secondly, which is of some importance administratively, you disappoint and disgust the men you have already got by bringing in new men, to an unknown extent, over their heads. I have seen a case of it; it has not happened to myself, nor is it ever likely to. I would certainly retain the Statute as a means of bringing in the desired proportion of Natives to the Covenanted Service, but only as supplementing the competitive source. As regards my system, let us suppose an appointment had to be filled. I would have a considerable number of nominees, not only of Government and of district officers, but I would invite the members of some of the great educational institutions, Aligarh for instance, to send a nominee. I would make the nomination as wide as I could reasonably do so, and having got my nominees I would apply the competitive test, liberally understood, that is, not a mere mental test, and by that I would choose the best men.

Mr. *Peacock*.

3384. And, having made your selection, would you insist on the selected man visiting England for the purposes of training?—I would.

3385. For how long?—Not certainly for less than two years; perhaps for three.

3386. What sort of training would you give him?—If possible, I would send him to a University, treating him as much as possible exactly like the selected candidate in the competitive examination.

3387. If you left the nomination to the Universities or schools, don't you think the probability would be that men would be nominated on account of their scholastic attainments to the exclusion of other qualities, which possibly, if not of equal value, are at all events very valuable in their after career?—In the first place I do not propose leaving nominations to them. My meaning is this: Have your nomination primarily by the executive officers of Government, and then, because after all their range of observation is very limited, in many cases I would supplement that by inviting people who have means of observation of great value and range to nominate. The deficiencies of the Government range of observation might be supplemented in that way.

3388. And then you would have a competition between the nominees of the district officers and the nominees of these other people?—I would trust to the officers nominating to make really good and careful selections, so as to ensure that no single nominee was absolutely unfit, and then I would apply the competitive test to get the best qualified among those men.

Mr. *Peacock*—contd.

The Hon'ble Mr. *Quinton*.

3389. Would not the result be that the University nominees would be first and the rest nowhere?—It would, if you had a competition of the kind which I do not recommend, for instance, competition exactly like our competition at home. But if you had it slightly revised, as I would have it, in which other things would count besides mental attainments, I do not think so.

The Hon'ble Mr. Justice *Mitter*.

3390. I making your first nomination, would you restrict your choice to men of high birth?—I would not so restrict it, but I would certainly exclude from it people of low birth, and as certainly, in nominating, would have special regard to that form of high birth or distinguished descent which, in the first place, is likely to command respect, should the nominee be finally appointed, and give him an increased faculty of leading and of helping us in the administration; and also to that form of high and distinguished birth which, on the principle of hereditary descent, makes it more probable that the candidate will be of the right sort. I don't mean mere aristocratic pretensions.

The Hon'ble Mr. *Quinton*.

3391. Do you know of any feeling of dissatisfaction among Natives with the existing system of recruitment for the Covenanted Service?—Certainly, strong dissatisfaction.

3392. On what grounds?—The grounds are (1) that Natives cannot compete freely, and (2) that when they do compete they don't compete on a fair footing.

3393. Do you advocate any change by which to remove these objections?—Yes, very considerable changes. I would either admit the Native candidate at a later age by one year or possibly two, or (which I am told by some Native gentlemen would be quite enough to do) I would raise the age to twenty-one for the English and Native candidates alike.

3394. Would you increase the number of the subjects of examination or alter the standard of marking the present subjects?—I would do one or both of two things. I would either mark high proficiency in Arabic and Sanskrit and Persian, the two first instead of Greek or Latin and the last instead of French, German or Italian, or (which I think myself the better plan) I would increase the number of the subjects which can be studied in English. I am strongly impressed with the difficulty which the Native candidate labors under in having the examination, not only in a foreign language but also in subjects absolutely foreign to his training and the training of his fathers and forefathers before him. He is obliged to master one language, English, in itself a very great task, and we ought to enable him to secure the requisite number of marks by high proficiency in subjects which can be mastered.

The Hon'ble Mr. *Quinton*—contd.

3395. Will you tell us what subjects?—I might mention some as possible ones. You might have a wider examination in English law, political economy, much more English history or Indian history studied in English, and moral philosophy is open to you and mathematics also. I do not want to give any details, only to apply a principle.

3396. Would you make any alterations in the subjects of examination?—I do not think anything more is wanted than one or both of these two forms, the object being to enable the Native candidate to compete on a fair ground. There are two or three other points connected with the examination. One is, I think, on the particular point just mentioned. First of all, the ground ought to be cleared by the Government laying down very distinctly how far it means to go in the direction of admitting Natives in the Covenanted Service. It ought to say at once: "We have no intention of allowing the service ever to become Orientalized but, on the other hand, we mean to have a sixth or a fifth or a fourth of it Natives, whether they get in by competition or not, and having got them we intend to make them as equal as possible in every respect to the Europeans." The second point is of very strong importance with regard to European and of extreme importance with regard to Native candidates. It is the point of testing much more closely for the desirable moral qualifications in a broad sense, and also of testing much more closely for physique, so as to get rid of, or at all events heavily handicap, a class of man who now gets in, who has no real mental superiority, and who simply gets ahead of men, his real superiors, by reading for ten hours instead of six and sacrificing his physique and future usefulness to that cram. As to physique, briefly, I would have a certain standard structural measurement laid down. A youth of seventeen or eighteen or nineteen, of a given height, ought to measure so many inches round the chest, a certain measurement of arm and calf. I am not speaking of simple athletic development; I mean only what a man in ordinary health ought to have, and, if he has not got them, I would deduct a certain amount of marks; and, as regards moral qualifications, I would in the same way deduct from the marks of any candidate whose tutors or guardians could not give very satisfactory proof that he really was a particularly straight-going, moral, courageous boy who takes the lead among his fellow-boys.

3397. How would you manage as regards the Indian candidates?—I think the moment you began to give attention to it you would find it could be done. At present it seems to be thought that common honesty and reasonable health are all that is wanted. You want something much better than that for our work out here.

3398. Would you hold examinations in India as well as in England?—Not for the Covenanted Service.

3399. Would you have a similar examination to test moral fibre and physical qualifications for the Statutory Service?—Certainly. The examination would be much the same as Insurance Companies hold.

Mr. *Ryland*.

3400. Would you apply that physical test—the measurement round the calf—to European candidates also?—Certainly. The one fear we have in our minds is of the Native candidate not being up to the mark; is the fear that he will fail in moral fibre.

3401. Applied strictly, do you not think that test would keep out a good many English candidates also?—I want it to; I particularly mean it to.

3402. You would not presume in the case of a European that he has those qualifications?—No, and I know he is deficient in them very often. The one faculty you want for administration out here shows itself in the boy long before he comes up for examination.

Mr. *Nulkar*.

3403. You are aware that the present system of examination was laid down by Macaulay's Commission in 1855, and that the broad principle he insisted upon was that the standard of examination should be such as to secure the best youths educated in the schools and colleges of England. He desired, in a word, to accommodate the standard of examination to the system of education available in England?—Yes.

3404. Would not the modification you propose tend to neutralise the system of examinations for these appointments? Would it not sap the foundation which Macaulay insisted upon?—It would have a certain tendency to do so; but I have also said that I would prefer increasing the number of the subjects which can be studied in English, I only contemplated the substitution of Arabic and Sanskrit and Persian in case that of increasing the number of English subjects was not sufficient to remove the present unfair weighting, and therefore, if we cannot make the conditions fair without admitting Arabic and Sanskrit and Persian, I say admit them; it is the lesser of two evils: it is better to slightly Orientalize the examination than to give your candidate an unfair weighting. Besides, it is a very slight degree of Orientalizing.

3405. Might not your system be even then open to the objection that it would afford an argument for the still further Orientalizing of the examination to suit the Indian candidates?—I dare say it would, but I do not think it would actually involve going any further.

3406. You would be prepared to resist any further pressure in that direction?—Yes.

3407. Would you fix the proportion of the Native candidates?—Yes.

3408. And how would that accord with the liberal policy of the Statute of 1833, under which you may not limit the number of any class of Her Majesty's subjects by reason of his place of birth, creed or color?—My answer to that is that I look much more to the spirit than to the letter of the Statute, and, if my system involved a much wider application of the spirit of the Statute than it is at present capable of, I would say, better repeal the Statute or recast it. Under the present system Natives scarcely get in at all. Under my system they would get in in very much greater numbers.

The Hon'ble Mr. Justice *Mitter*.

3409. You say the Government should declare in what proportion it was prepared to admit Na-

The Hon'ble Mr. Justice *Mitter*—contd.

tives?—Yes, I think the Government ought to lay down a rule to that effect.

3410. How do you reconcile this with admitting Natives to the open examination in England? I mean, if the proportion is exceeded in the result, how would you deal with it? Suppose forty appointments are to be given in any year and Government to have declared that the Natives shall have one-fourth of them, and suppose that fifteen Natives actually pass the examination, we should have to select the best ten out of the fifteen and let the rest go, although they might stand higher than any of the European candidates. Is that what you mean?—Yes.

Mr. *Crosthwaite.*

3411. I understand you to speak as if the object of Government was to enable Native candidates to compete on equal terms with English candidates?—It ought to be.

3412. But supposing the object was rather to get the best possible men for the service without distinction of race, would you still have these changes that you now advocate? I suppose you don't mean to confine these changes in the examination to Native candidates; if the English candidate chose to take up Sanskrit and Arabic, he would be allowed to do so?—I had not thought of that. I should not make the change of increasing the number of subjects for examination in England.

3413. Would you give greater advantages in the case of Sanskrit and Arabic?—No, I don't think I would, because I think the men who go deeply into these subjects are sure to be pedants, and I want practical men.

3414. Don't you think one of the most necessary qualifications for the higher executive administration in India is freedom from religious prejudices?—Yes, so far as they interfere with a man's partiality or judgment.

3415. If you encourage the study of Sanskrit and Arabic, will not the study of Sanskrit be confined to Hindus and the study of Arabic to Mussalmans?—I suppose that would be the case.

3416. And do you not think it would rather tend to foster their religious prejudices than otherwise, these being their sacred languages?—It would undoubtedly have a certain effect that way.

3417. Do you think a Mussalman who was deeply imbued with Arabic, or a Hindu who has devoted much of his time to the study of Sanskrit, would be as tolerant from the religious point of view as a Mussalman or Hindu who has been educated in the Western languages and literature?—No, the man who has had the Western culture would probably be the more free from local prejudices.

The *President.*

3418. Do you think there is anything in the study of Sanskrit and Arabic which necessarily impairs the impartiality of the officer?—It would never have occurred to me to think so, but I say that Western culture has a greater emancipating effect than Eastern culture.

3419. Is it not a matter of ordinary experience that a man who is highly educated in any special branch of science or literature is more likely to be free from prejudices of that sort?—Certainly.

The *President*—contd.

3420. You don't mean that there is anything in the specialised study of Arabic and Sanskrit which tends to impair a man's partiality as an administrative officer?—Not in itself.

3421. You are aware that the Uncovenanted Service, by which I mean Deputy Collectors, Tahsildars, Munsiffs and Subordinate Judges, is, partly by Statute and partly by order of the Secretary of State, practically restricted to Natives of India. Would you throw it open to all natural-born subjects of Her Majesty?—I think on the whole I would. As regards Tahsildars and Munsiffs, I think I would certainly exclude Europeans. I don't know anything about Subordinate Judges. As regards Deputy Collectors, I would have a small proportion of Europeans or what goes for Europeans; just as for the Covenanted Service I would have the bulk English and a small proportion of Natives.

3422. Would you alter the present mode of appointing Tahsildars and Deputy Collectors?—I should like to see for the bulk of the recruitments the same sort of provision made as I propose for the Statutory Service, a wider system of nomination and then something like a competitive test among the nominees.

3423. Would you include those tests of moral fibre and physique?—Yes, generally.

3424. And how would you appoint Munsiffs and Subordinate Judges? Do you offer any opinion as to the mode of selection in their case? No.

3425. And as regards the Tahsildars and Deputy Collectors, would you have the nomination made provincially?—Certainly, I feel strongly on that point. I think we must have the provincial system for all the services. I don't say absolutely and exclusively provincial, but with a decided preference for the residents of the Province.

3426. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—I think I would rather resume them into the Covenanted Service, my reason being that that service is being cut down to a point at which we cannot work it.

Mr. *Peacock.*

3427. When you speak of recruiting Tahsildars from Natives, do you mean Natives in the Statutory sense?—I mean pure Natives.

Mr. *Crosthwaite.*

3428. What is the social position of the men you generally get for Deputy Collectorships and Tahsildarships? Is it fairly good?—It has undergone a very great change in my time, particularly in recent years. I think that a short while ago it was almost confined to the official and *Amlah* class. We are now getting men with much less official training but with a higher moral tone—more of the gentleman about them.

3429. Do they come into the ranks of the Tahsildars?—Certainly. I don't much approve of direct appointments to Deputy Collectorships, I would begin with the Tahsildar as the lowest of an honorable grade, and promote from that grade to the Deputy Collectorships. I don't think a Deputy Collector who has not been a Tahsildar is much good. I attribute immense importance

Mr. *Crosthwaite*—contd.

to the post of Tahsildar; almost everything goes down to him.

3430. Are you satisfied with the men we are now getting?—No, but I say they are improving.

3431. Do you think the pay is sufficient to attract good men?—I should not think so, because if we are to improve their tone in the way we hope to do, they will not be able to live on the salary that the older men, who were not so strict, could live on.

3432. Is the promotion from Tahsildars to Deputy Collectorships rapid or slow?—My impression is that it is exceedingly slow.

Sir *Charles Turner.*

3433. You said the staff of European officers had been cut down as far as possible with due regard to efficiency. Do you speak with regard to differences of race or apart from such considerations?—I say, speaking of the men you have got and of the existing system, that you have not enough Covenanted men, either English or Native.

3434. Do you consider that the same number of Europeans must be retained in the service as are now in it?—No, I don't, because when I propose that the Government should make a point of having a fifth or fourth of the service composed of Natives, I do not contemplate having them in addition to but in substitution for the same number of Europeans. At present we have lost our Covenanted assistance in a great many districts; we have not got the trained Native to fall back upon, and therefore we have come to substituting the Deputy Collector, a man, as a rule, of inferior social status and possibly inferior attainment for the higher man.

3435. Might you not obtain more Natives who are more highly qualified than your present Deputy Collectors?—You might of course, but I think the evil of doing so would be greater than the gain; because it would involve the supersession of vested interests and the breaking up of organizations.

3436. If, as you say, you have not a sufficient number of Covenanted Civilians, and your Deputy Collectors are not fit to take their places, what vested interests would be affected by increasing the improved Native agency?—My remark only had reference to the contingency of bringing in a Native or a European into a Covenanted post over the heads of the junior Covenanted Civilians. I never said this pressure was permanent. I believe it is to a great extent temporary.

3437. Have you men in other parts of the Province who might be brought in?—I don't think so. I imagine that the administration distributes its men as best it can.

The *President.*

3438. Setting aside vested interests, do you consider the work done by Joint Magistrates, for instance, could not be done by a cheaper agency of European or Native Uncovenanted officers?—I don't think it could be done nearly as well as it is now.

3439. If you get an improved Native might it not be done?—You might have a very exceptional man doing it very well.

The *President*—contd.

3440. There is nothing in the nature of the duties themselves which should make it impossible?—No.

Mr. *White.*

3441. Have you tried any Native of India, that is, pure Natives, domiciled Europeans or Eurasians, in these appointments?—No.

The *President.*

3442. The duties of a Deputy Collector are very much the same as those of Joint Magistrates?—Yes. (To Mr. *White.*) I don't say they could not discharge those duties, but that they would not discharge them with equal efficiency. Of course, every rule has its exceptions.

Mr. *White.*

3443. Then you merely infer that such is the case?—I do more, I am pretty certain that it is. I know a great many Deputy Collectors. The men we have got are certainly not, as a rule, as good as those of the Covenanted Service above them.

Mr. *Ryland.*

3444. Do you judge from the result of appeals or how?—I judge all round.

3445. Have you found that the decisions upheld have been less numerous in the case of Deputy Magistrates and Collectors than in the case of Covenanted assistants?—I think that one has to interfere more frequently with the Native Magistrate's decision than with the European Magistrate's decision.

The Hon'ble Mr. *Quinton.*

3446. Have you anything to say on the subject of pay and furlough?—As regards pay and furlough, I would make no distinction except as regards a small point in the pension rules and a small point in the furlough rules. As regards pay I think it better to make no distinction, and my reason is that the disadvantage of making a distinction, which would be regarded as invidious and as lowering the status when we want to raise it, is greater than the gain in point of economy. The thing might be perfectly justifiable from the market point of view, but even then you lose more than you gain. Moreover, once you begin a system of differential salaries, one scale for the Native and one for the European, you give a permanent handle to that class of reformers which is always crying for retrenchment. As regards furlough, I would keep the present rules for the Native Civilian, with this exception that all furlough spent in England should count under our rules, that is, I would be just as liberal to the Native who spends his furlough in Europe as to ourselves. As to pension, the Native Civilian should have the same as ourselves.

3447. Do you think the present pay of the Statutory Civilans, say on entry, would bear the reduction of four per cent.?—I would pay them at the same rate as the Covenanted Civilians. My whole aim is in every possible way to raise the status of the service to an equality with ourselves.

The *President.*

3448. The Statutory system, even as you would recruit it, guarantees qualifications of a

The *President*—contd.

decidedly inferior kind to those guaranteed by the system of competition in England? Notwithstanding that, would you give the men selected equal pay?—I would.

Mr. *Stokes.*

3449. Do you approve of the present rule which requires that a man should have served for thirty years to entitle him to a pension?—My impression is that it is very hard, certainly for the higher grades.

3450. Have you ever heard of the case of a man not sufficiently up to his work whom you would be glad to get rid of if you could pension him, and you let him stay on so that he may become entitled to a pension?—Certainly. Such cases are very frequent.

3451. On that ground, would you reduce the number of years which entitle a man to a pension?—I think I would.

3452. Would you require some more elastic system of graduated pension to enable you to deal equitably with such cases?—Yes.

The *President.*

3453. Is there any other point, not covered by your evidence, on which you would wish to give evidence?—Yes, it is that I regard the provincial mode of recruitment as extremely important, and, when I recommend having a reasonable proportion of offices absolutely reserved for Natives, I mean that they should be distributed with regard to administrative expediency over the different Provinces.

3454. How would you manage that if you have a competitive examination?—Suppose there are altogether forty appointments and ten of them are for Natives; I would have so many of

The *President*—contd.

these ten appointments open to residents of Bengal and so many for residents of the Upper Provinces, and so on, the primary consideration being administrative efficiency.

3455. It might so happen that a Native who had passed high would be passed over for a Native much less high on the list?—Yes.

Mr. *Nulkar.*

3456. I suppose you are aware that, under your system, the uncertainty of passing, which at present prevents so many Natives from competing in England, would be greatly increased?—It would be so in one way and decreased in another. It would have the effect of largely increasing the number who get in. My system would result in a much larger number, out of the ten possible admissions, being admitted through the competitive door than at present get in. It cuts both ways. I decrease the chances, say of the Bengali, and increase those of the others.

The *President.*

3457. At present three or four men might go to England on the chance of getting some out of the fourty appointments available. But suppose the allotment for the North-West Provinces has only one appointment for a Native, do you think three men would go home with the possibility that all three might fail and the certainty that two would?—No, I think not; but in the first place they would have means of knowing whether there was a much better North-West man going, in which case they probably would not go. In the next place, I do not suppose that any man goes to England with the single string, the Civil Service or nothing, and without some idea of taking up the Bar if he fails.

WITNESS XLV.—*7th January 1887.*

A. J. Lawrence, Esq.

Examination of A. J. LAWRENCE, Esq., of the Covenanted Civil Service; Commissioner of the Allahabad Division.

The *President.*

3458. You are a member of the Civil Service?—Yes.

3459. Are you a Competitioner or Haileybury man?—Haileybury man.

3460. Of how many years' standing?—Thirty years.

3461. You are now Commissioner of the Allahabad Division?—Yes.

3462. You have risen through all the grades of the service?—Yes.

3463. Judicial as well as Executive?—No.

3464. Have you been Settlement Officer?—Yes.

3465. Can you say whether the present system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service is approved?—It is not approved.

3466. By what class is it disapproved?—There is a good deal of jealousy. You make one contented and another discontented by the present appointments, and then the Deputy Collectors themselves dislike very much having a young man put over them.

3467. Is there any objection to the mode of selection by nomination?—No, I think they like nomination as a rule.

3468. Have you got men of good family through the present system?—Yes.

3469. Is there any feeling of dissatisfaction with the wording of the Statute under which the appointments are made?—I don't know much about that.

3470. Have you had experience of any Statutory Natives?—Yes, I have three under me.

3471. Have they performed their duties satisfactorily?—Yes, on the whole.

3472. Do you consider them better in point of education and ability than the men who hold the higher posts in the Uncovenanted Service?—Naturally they are better than men who are thirty or forty years their seniors, but I think we are now getting men of very much the same class in the Uncovenanted Service. I would do away with the Statutory Service altogether and promote from Deputy Collectors to these posts, or to a sufficient proportion of them to fill up the one-fifth required.

3473. Of course you know that the present Statute enables you to do that?—Yes.

3474. Would you also appoint from outside, from the professions?—Not to the Tahsildars and Deputy Collectorships. The judicial posts might to a certain extent be so filled. I have no special experience of judicial work.

3475. You would appoint only men of proved merit and ability who were distinctly superior to the average men in the Uncovenanted Service?—Yes.

3476. Do you think that subjects of Native States ought to be eligible for such appointments?—Yes, they are practically Her Majesty's subjects.

The *President*—contd.

3477. If the Statutory Service is retained as it exists now, would you continue to recruit by nomination?—Yes.

3478. And would you insist on the nominess going to England for training?—Not necessarily immediately, but I think I would send them after a time.

3479. Do you mean that you would insist on them taking furlough to Europe?—I think it is a matter for consideration. They certainly ought to go if they are to be members of the Covenanted Service.

3480. Would you insist on their going?—I would give them our furlough rules to enable them to go.

3481. I gather, then, that you are not in favor of their going until they are able to go there on furlough?—Yes.

The Hon'ble Mr. Justice *Milter.*

3482. Would you promote only from the Uncovenanted Service to executive posts? Would you allot the same number of appointments to the Uncovenanted Service?—Yes, but I certainly would not exceed the number now allotted. I do not think we can afford it, and I should also include in that number those who were passing at home through the competition. We cannot afford to be swamped. We must hold the country.

The *President.*

3483. Is any dissatisfaction felt with the present mode of recruitment for the Covenanted Service?—Yes, on account of the present age limit.

3484. Is there any other ground of dissatisfaction?—No, at least I have heard of none.

3485. Would you alter the age limit?—I think it should be increased.

3486. Do you propose any other changes, in the subjects of examination for instance?—I know nothing about the subjects of examination.

3487. Do Natives of the North-West readily go to England?—Yes, those who can afford it; and some families put themselves to immense expense and many incoveniences to be able to keep their young men in England. It is wonderful what they will undergo for that purpose.

3488. Have you known some of those who went?—Yes.

3489. How were they received on their return?—One, a Hindu, was put out of caste and subsequently re-admitted. After a year or so he threw up his caste and now eats and drinks with us. I think one or two similar instances have occurred.

3490. Had he shown any disposition to give up this caste before he went?—I did not know him then.

3491. Do you think the Uncovenanted Service of the North-West contains men who have

The *President*—contd.

proved their merit and ability to such an extent that they could with propriety be appointed to posts in the Uncovenanted Service?—Yes, I think there are some who might very well take charge of small districts.

3492. What do you call a small district?—There is one district in each division where they might be tried.

Mr. *Ryland.*

3493. Would you appoint Europeans who were Uncovenanted men to the charge of districts, supposing them to be proved efficient?—I would not exclude them.

Mr. *Nulkar.*

3494. What age limit would you substitute for the present one?—I would make it nineteen to twenty-two or even twenty-three. I would have the same for both classes. What Mr. Harrington said of the European candidates of the present day was perfectly correct; there is a great deal of fault to be found with their stamina and physique. (To Mr. *Peacock*) I would not have the competition in India on any account.

The *President.*

3495. Would you admit Europeans not domiciled here to the ranks of the Uncovenanted Service?—I think not. But I would admit Europeans domiciled in India in the same way, and to the same extent, as we have Natives in the Covenanted Service.

3496. You know the Secretary of State's orders impeding the appointment of any European to the Uncovenanted Service. Has the effect of that been to reduce the number of Europeans in the Uncovenanted Service below that you think advisable?—I think it has. I have known instances, where the father and mother have been in India for upwards of fifty years, and the sons got in with great difficulty. It depends very much on the Lieutenant-Governor of the day.

3497. What system of recruitment would you adopt?—I am altogether against competition in India. I would promote Tahsildars as now by nomination from the Naib Tahsildars, and half of the Deputy Collectors I would take from the Tahsildars and half of them should be nominees of Government.

3498. Why do you object to competition in India?—Is it such a decided success even in England?

3499. You mean that it does not secure certain qualities which you think necessary and which pure nominees might possess?—Yes, I think there is a good deal in that.

3500. Have you at present any large number of men of good family in this service?—Yes, we have been getting a very much better class within the last few years.

3501. Do professional men, Pleaders and the like, accept office freely?—Young professional men do, but if they have any position they do not think it worth their while.

3502. In the case of Deputy Collectors would your system of appointment demand preliminary qualifications in the persons nominated?—In practice there is always a test required. It is the object of Government to get the best men it can.

The *President*—contd.

In the case of Deputy Collectors I would not confirm their appointments until they had gone through a certain probation.

3503. Would you limit the Lieutenant-Governor's choice to residents of the Province?—Yes.

3504. You would not have him appoint, say, a Punjabi, to an office in the North-West?—I would not, nor men from the Central Provinces either.

3505. Are there many Punjabis employed in the North-West?—There is one, and he is here for special reasons.

3506. Is his work in any way inferior to that of men appointed under the same system?—He is not quite up to his work.

3507. Assuming that the Statutory Service is abolished, what would you do with the proportion of offices assigned to it?—What Mr. Harrington says is perfectly true. The service is very much under-officered, but I think the reduction is only temporary, and, at the same time, I think that this proportion of one-fifth or one-sixth should go to the Uncovenanted Service, and, as I said before, I think there are men now in that service who are fitted to take these posts.

Mr. *White.*

3508. We have heard of cases in which Eurasians have been distinctly refused Munsiffships on the ground of their not being Natives of India, and that no Eurasian has been appointed to the Statutory Service on that account?—I think the Government ties its hands too much by making hard and fast rules.

Mr. *Stokes.*

3509. Would you have any objection to a wide nomination, followed by competition among the nominees?—No.

The *President.*

3510. Have you anything to say as regards pay and furlough?—Nothing.

Mr. *Stokes.*

3511. Have you ever found it desirable that a pension should be given at a lower age than thirty?—Certainly, there are often men we should be glad to part with, but whom we have to keep on from want of power to pension them.

3512. And you think it desirable that it should be possible to give a graded pension at a somewhat lower age?—I think it should be possible.

The *President.*

3513. You are aware there is a distinct order which prohibits the retention in the service of inefficient men, with a view to enable them to serve out the time which entitles them to a pension?—Yes, but there are a good many orders which are not much observed.

Mr. *Stokes.*

3514. Would you apply the same principle to the Covenanted Service?—Yes.

Mr. *Crosthwaite.*

3515. You have served part of your time in the Central Provinces?—Yes, for three years.

Mr. *Crosthwaite*—contd.

3516. And you are acquainted with the system of administration in those Provinces. Do you remember whether some of the districts there had only one European officer?—Yes, I think some of the smaller districts.

3517. How many districts have you in your Division?—Six.

3518. Are there any of them in which there is only one European officer?—Yes, in two districts we have had only one European officer for the last nine months.

3519. Have you found any inconvenience arise from it?—It so happens that we have not, but it might give rise to very serious inconvenience.

3520. Is there any sub-division in your district?—Yes, Karwi.

3521. Have you ever had a Native in charge of that division?—Yes, two, during my Commissionership.

3522. Did any administrative inconvenience arise from that?—From the first one, yes: all the executive work came to a close. The second man was very efficient and did his work almost as well as a European officer.

Mr. *Crosthwaite*—contd.

3523. Have you in your division any Native officer whom you would put in charge of a small district?—One, certainly.

3524. Is there any other district besides the one you have mentioned, which you think could be worked with only one European officer?—I don't think so.

3525. Have you any European Deputy Collectors under you?—No.

3526. Is it necessary to have Europeans or Eurasians as Deputy Collectors?—I should certainly like to see the administration strengthened by a proportion of European Deputy Collectors.

3527. How many have you in your division?—We have two European Deputy Collectors.

3528. Do you think it necessary to have a man of that class at Cawnpore and Allahabad?—I think it is.

3529. Is it necessary to have them in any other district?—Not if there is a proper staff of Europeans.

3530. So far as their proper work goes?—No, not for their own ordinary work.

WITNESS XLVI.—*7th January 1887.*

E. P. Lloyd, Esq.

Examination of E. P. LLOYD, Esq., of the Covenanted Civil Service; City Magistrate, Lucknow.

Mr. *Stokes.*

3531. You are a member of the Civil Service?—Yes.

3532. Do you know anything about the Statutory Service?—Nothing to speak of.

3533. You don't know whether the Natives disapprove of it?—No.

3534. What do you know of the Civil Service?—I was put on probation in 1879. I have held the appointments of Assistant Magistrate of Dacca and Joint Magistrate of the same place. I have also been Assistant Commissioner and Deputy Commissioner of Barabanki. I am now City Magistrate of Lucknow.

3535. On what points do you desire to give information to the Commission?—I desire to point out the evil effects of a severe examination on boys of the age now prescribed. It is almost impossible for a Native, however clever, to compete against English boys of eighteen. In my own year no Native got through, and, during the time I was at Oxford afterwards, no Native got through. I think if the age was raised from twenty-one to twenty-three these very clever Natives of India would be able to compete in England with very much more chance of beating us. When I was at home the only Native languages which could be taken up were Arabic and Sanskrit. I think the addition of another Native language would also improve the chances of the Native candidates.

3536. Do you refer to Persian?—I had in my mind Hindustani, Bengali, a modern language, a language for each presidency. There should be a really difficult examination, so as to test thoroughly their knowledge of their own literature. I also think that the cost of the successful Native candidates' return passage should be paid him.

Mr. *Stokes*—contd.

3537. Is there any other point on which you would like to speak?—I have had only a short experience of India, yet I cannot help thinking that the system of appointing to the Covenanted Service might be very much improved by appointments being made from the Uncovenanted Service direct to the Civil Service every year, in the same way as a man in the army may rise from the ranks.

3538. Would you abolish the system of appointing men by nomination to the Statutory Service?—Yes.

3539. And would you reserve those posts for the other members of the Uncovenanted Service?—Yes.

Mr. *Nulkar.*

3540. Would you have simultaneous examination in India and England?—Certainly not.

3541. You say you would pay the expenses of the successful candidates' return voyage. Does it not frequently happen that a candidate fails by one mark only, and is it fair to pay the expenses of a candidate who succeeds by one mark, and refuse the cost of his voyage back to the man who has failed by one mark only?—I don't see how else you could draw the line.

The *President.*

3542. Is there any other point within the scope of our inquiry on which you have an opinion to offer?—No.

F. Atkins, Esq.

WITNESS XLVII.—*7th January 1887.*

Examination of F. ATKINS, Esq., Manager, Railway Service Gazette, Allahabad.

Sir *Charles Turner.*

3543. I believe you are the Secretary of the United Service and Railway Servants' Association in India?—Yes.

3544. You are also Editor and Proprietor of a journal called the "People's Budget"?—No. The "People's Budget" belongs to the Association.

3545. How long have you been in India?—Twenty-three years.

3546. In what capacity did you come here?—I came here as a sailor. I then joined the railway as a fireman. I worked up until I obtained charge of passenger and mail trains as engine-driver. I then retired from the service to form the Association with which I am now connected. That Association has been in existence for thirteen years.

3547. I believe you have more than once memorialized the Secretary of State?—Yes.

3548. You visited England also to represent the interest of your Society?—Yes.

3549. What are the objects of your Association?—To provide assistance to men out of employment, to men sick, to men who are prosecuted for offences arising from no actual fault of their own nor from neglect of duty on their part: to provide apprenticeship allowances for members, and also a sum at the death of a member, and in case of his being disabled by accident, a maintenance allowance for the rest of his life.

3550. How is your Society composed?—The Association is open to all classes, Europeans and Natives, and extends all over India.

The *President.*

3551. Are there any Natives actually on your rolls?—There is a very large number. There are five in the executive council of the Association. There are at this present time about 960 members, about one-third of whom are Natives.

Sir *Charles Turner.*

3552. Have you heard any dissatisfaction expressed with the present system of appointing Natives, as Statutory Civilians, to posts reserved in the Covenanted Service?—Giving expression to the views of the men with whom I come particularly into contact, I should say that they view it with disfavor. In the first place they look upon it as simply a means of exercising patronage, for recognizing the services of any one who has won the favor of Government, by conferring appointments upon his children. In the second place they look upon it as something which gives no satisfaction to them, nor is likely to give satisfaction to anybody else. In fact many of them are excluded by the Statute from appointments in the public service.

3553. Have you made yourself acquainted with the provisions of the Statute?—Yes.

3554. What objection do you take to the language of its provisions?—It certainly excludes a very large number of men, or rather the children of men in a humble state of life, that is, men brought out here in the service of the State and of our large public companies and railways, many of whom are under covenant, and are perfectly ignorant of what India is like until they land here; and I think I am perfectly safe in saying that not five per cent. of them ever return to England again. Therefore to all intents and purposes they are domiciled in this country, yet their children are not allowed the privileges of the Statute.

Sir *Charles Turner*—contd.

3555. Because coming out under a contract for a term of years they would not be regarded as legally domiciled?—Yes. There is a case in Allahabad. The man's parents were resident there for something over forty years. He is in no way connected with our Association, but is a man I am acquainted with. He was strongly recommended for a Deputy Collectorship, and because he had the misfortune to have been born in England he was refused the appointment. Now here is the anomaly: his brother was born in this country and of course he was eligible under the Statute. I may mention another case in Madras. The man has been thirty years in the country, has married a Eurasian and has a child. He was refused an appointment pointblank, because he was not a Native of the country, although, mind you, he was born at Bangalore.

3556. You would amend the Statute, then, by altering the definition of the term "Natives of India"?—I think it would give more satisfaction if the Statute were abolished altogether.

3557. But if retained, you would advocate altering the definition?—Certainly.

3558. Is any great objection entertained by Native members of your Association to proceeding to England?—Not, if they had the means.

3559. I suppose not many of them are of very high caste?—No, I suppose not.

3560. Are the Station Masters members of your Association?—Yes.

3561. Are any Natives of this Province among your members?—Yes.

3562. And are some of them of the Kayasth class?—Some of them.

3563. Of the Bania caste?—I don't think so. They belong to almost every caste except the lower. There are one or two of the lower.

Mr. *Ryland.*

3564. Is that class which is so disqualified largely increasing?—It is, by natural laws.

3565. And they cannot find any inlet for their sons to the Government service?—Perfectly correct.

3566. Which they consider a very great hardship—Perfectly correct.

Mr. *Nulkar.*

3567. Can they not find employment in the police?—They do not find employment in the police.

Mr. *Nulkar*—contd.

3568. Are there any Mahomedans of this Province members of your Association?—Yes, I think we have one or two. We include all classes.

Sir *Charles Turner.*

3569. Have you any remarks to offer on the recruitment of the Civil Service?—If I convey the impression of those I represent, it is that there should be an alteration in the system of recruitment. They would like to see greater facilities afforded to natural-born subjects of Her Majesty without reference to class, color or creed, for proceeding to England, in order to compete in the examinations.

3570. In what manner?—By examinations in this country prior to proceeding to England; and one suggestion, which I think is rather fair, is that the State, in case they pass the examination in England after undergoing an English training, should pay their passages to and fro, and that they should recoup the money in the event of failure.

3571. They would first have an examination to test whether the candidates were up to a certain standard of merit, and in case they were, they would have the State advance their passage money?—Yes.

3572. Would you alter the age limit?—Individually I would not, but as representing a large body of men, who say yes, I feel bound to say the same. The Association are generally in favor of its being altered to twenty-one or twenty-two. Personally I think the educational advantages in India at the present time (and they are increasing every year) are almost sufficient to make this alteration unnecessary.

3573. Would you alter the subjects of examination?—Yes, especially for persons born in India. They should undergo an examination to test, not only their physical fitness, but also some athletic test should be applied to them. I think I would go further than a certificate of ability to ride. These tests should be applied before any candidate is sent to England, and they should be severe.

3574. Would you make any other changes in the English examination?—No.

3575. You do not advocate competitive examination in India?—Personally I do not think it would be wise to hold an examination in India, but the Association think that there should be an examination in India as well as in England, and they would have the examination in this country more severe than it is in England.

3576. Would your Association insist on the candidates' going to England after selection?—Yes.

3577. Would you recruit for the Uncovenanted Service from all natural-born subjects of Her Majesty or only from Natives of India?—I would not exclude any one.

3578. Has any dissatisfaction been felt with the orders of the Secretary of State, which are understood to prohibit the recruitment of the Uncovenanted Service from Europeans in this country, and domiciled Europeans and Eurasians?—I should not like to express the dissatisfaction which is felt.

Sir *Charles Turner*—contd.

3579. These orders have been recalled as regards domiciled Europeans and Eurasians?—Yes, but still it has not had the effect of throwing the service open.

3580. You think they still exercise some influence on the recruitment for this service?—Yes.

3581. By Uncovenanted Service we mean, on the Revenue side, Tahsildars and Deputy Collectors, and, on the Judicial side, Munsiffs and Subordinate Judges. How would you appoint Tahsildars?—By nomination.

3582. And Deputy Collectors?—By competitive examination; and I think from my knowledge that Natives of India are better suited for judicial than for executive appointments.

3583. Would you give Tahsildars a chance of rising to Deputy Collectorships?—Yes.

3584. Then you would have the appointment to Deputy Collectorships partly by competition and partly by promotion?—Yes.

3585. And Munsiffs?—I would appoint them by nomination.

3586. From what classes?—I have not studied that question.

3587. Would you have the recruitment for these offices provincial or open to the whole of India?—Provincial.

Mr. *Ryland.*

3588. The class of Europeans you represent are deterred from educating their children up to the standard required here owing to the disability under which they at present labor as regards employment in the public service?—I cannot say they were deterred from educating their children as far as they can, because they do in fact give them all the education they may fairly be considered able to do. No doubt, if they had some incentive in the shape of a prospect of public employment for their sons they would make even greater efforts in order to educate them up to the required standard.

Mr. *Peacock.*

3589. Would you reserve any fixed proportion of Deputy Collectorships for the promotion of Tahsildars?—No.

3590. Then you would make such promotions in exceptional cases only?—Yes.

The Hon'ble Mr. Justice *Mitter.*

3591. How have you derived the impression that Natives are better suited for judicial than executive posts?—From intercourse with them. It seems to me that the Native of India has a greater inclination that way.

3592. Have you had actual experience of their work, or what sort of intercourse do you refer to?—I have formed the opinion not from actual experience of their work, because I do not visit Courts of Law so frequently as to acquire that experience, but from contact with them in assemblies and meetings.

3593. You mean from hearsay reports?—Oh no, from actual contact with them. Take my own Association as an instance. We have a very large number of branches, and I have found that where there has been some controlling influence to direct the branches, that is, where a European or Anglo-Indian has directed the affairs of a

The Hon'ble Mr. Justice *Mitter*—contd.

branch, it has flourished a great deal better than what it has in the hands of a Native, because they have exercised some firmness and decision. But I will say this, that where there has been a large proportion of Native members in a branch, the general business of that branch has been conducted in a much more systematic manner. The head of the branch by his firmness and decision has been able to utilize the sagacity of the Natives who constituted it, and such branches have always flourished.

Sir *Charles Turner.*

3594. I understand you to say that if you want a person to stir a branch into life you must have a European or Eurasian, but when you come to consultation and the execution of measures, then Natives, you say, are far more satisfactory?—Exactly. (To Mr. *Stokes*) Natives are exceedingly minute in all their inquiries and particularly searching, and after they have carefully inquired into the matter they invariably see the wisdom and propriety of submitting to the decision and the views of the officer who may be appointed to direct the affairs of the branch.

Mr. *Stokes.*

3595. And would not these qualifications be useful also in the executive posts?—Yes, I think so.

Sir *Charles Turner.*

3596. Do you think it is possible to obtain educated Natives in this country sufficiently competent to fill some of the posts occupied by Covenanted Civilians at a less rate of salary than is paid to the Covenanted Civilian?—It might be possible.

3597. Do you think it is desirable?—It is not, because a man who does his work satisfactorily is deserving of pay, no matter what he may be.

3598. You think the distinction of pay is undesirable because invidious?—Yes.

3599. Have you any other point which you desire to bring before the Commission?—No. I think my examination covers nearly all the points in the memorial to the Secretary of State.

WITNESS XLVIII.—*7th January, 1887.*

Mr. *Simeon.*

Examination of Mr. SIMEON, Pleader, North-Western Provinces High Court.

Sir *Charles Turner.*

3600. You are a Pleader of the High Court of these Provinces?—Yes, I was at first a Translator in the High Court Office. I am a Native Christian of this Province. I have practised for several years as Pleader in the High Court and in the Subordinate Courts.

3601. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—It is not, because proper selection is not made. I mean that regard is not had to proved merit and ability as required by the Statute. I would have open competition for these appointments and do away with nomination altogether in the present state of the country.

3602. Would you alter the definition of "Natives of India" in any way?—Yes, I would have it amended so as to include all persons who have a fixed habitation in the country.

3603. Would you retain the service?—I would say abolish the service, seeing that only a few appointments have been made.

3604. If it is retained, should the selected candidates be required to go to England for training?—There should be a competitive examination, and those who succeeded might go, not for purposes of study, but for the sake of acquiring experience. They might be encouraged, but not compelled to go.

Mr. *Ryland.*

3605. You say you would have no nomination "in the present state of the country"?—I mean to say that there are a number of well-educated young men now being turned out by our schools and colleges and also practising at the Bar who under the rules are debarred from the service, and who in a system of open competition would have a fair chance of success.

3606. But in such a system do you not think the Natives of this Province would go to the wall? Do you not think that there would be a preponderance of successful Bengalis, for instance?—I think that is a very erroneous impression. The people of this Province are now alive to the value of an English education.

The Hon'ble *Syad Ahmed,* Khan Bahadur.

3607. At what age would you admit to this open competition?—Between eighteen and twenty-one.

3608. What is the average age at which men commence practice at the Bar?—From eighteen to sixty.

3609. Would not members of the Bar be excluded from competing under the circumstances?—I meant that the competition should be among persons of the same class as those who go to the Bar.

Sir *Charles Turner,*

3610. Could you form a satisfactory estimate of the ability of men of eighteen to twenty-one to fill the higher posts in the service, as the Statute contemplates they should do?—The selected candidates might serve a period of probation for two years.

Sir *Charles Turner*—contd.

The Hon'ble *Syad Ahmed,* Khan Bahadur.

3611. Generally speaking, at what age do men of the North-West Provinces graduate?—From twenty-one to twenty-four or twenty-five.

3612. Would not your limitation largely exclude graduates also?—(No answer.)

Mr. *Peacock.*

3613. Would you have the period of probation passed in England or in India?—In India.

3614. You would, however, encourage them to go to England?—Yes.

3615. How?—By advice and pecuniary aid.

Sir *Charles Turner.*

3616. Is the present system of recruitment for the Covenanted Service open to objection or not?—I am not prepared to say.

3617. Do Natives of India labor under any disadvantages in competing for this service?—They do: (1) as regards age, which, I think, should be raised to twenty-one or twenty-three; and (2) as regards the subjects of examination. I think Sanskrit and Arabic should be allowed the same mark value as Latin and Greek. The history of the administration of India should also form one of the subjects, in order that the candidates may have some knowledge of this country.

3618. Would you hold simultaneous examinations?—Yes, I would have the examination in England for English candidates and an identical examination in India for Indian candidates.

3619. Would you allow Natives to appear at the English examination?—Yes, and English candidates to compete in India.

3620. Would the standards of examination be the same?—Yes.

3621. And would you have one list or two lists?—One list.

3622. Would you give the appointments to the men highest on the list or how?—To the men highest on the list.

3623. Would you apportion any of these appointments to particular classes?—No.

3624. Or to territories?—No.

3625. Would you compel the successful Native candidates to go to England for training?—I would advise them, not compel them to go.

3626. Have you met any of the young Natives who have been to England or are going here?—I have seen a number of those who have returned.

3627. Do you consider the young Natives who go are the best we could get?—Not all of them; some of them are.

Mr. *Stokes.*

3628. Do you not think all the young men would be very glad to go if they could?—Most of them would.

Mr. *Ryland.*

3629. Is their any caste or religious prejudice against it?—I think it is dying out with the advance of education.

Mr. *Peacock.*

3630. Have the Natives you say you have seen since their return been re-admitted to caste?—I think they have voluntarily withdrawn themselves from caste. Their people would of course be very glad to receive them back again, and if they do not get back to their caste it is because they do not wish it.

3631. Do you think this feeling is desirable?—No, very undesirable.

Sir *Charles Turner.*

3632. Is it one of the results of their having received a higher education?—It is not, I think, that they have become more intelligent by going to England, but having acquired some European habits they naturally prefer to associate with Europeans.

3633. Should the Uncovenanted Service, meaning thereby Tahsildars, Deputy Collectors, Munsiffs and Subordinate Judges, be recruited from Natives of India only or from all classes of Her Majesty's subjects?—From all natural-born subjects of Her Majesty without distinction.

3634. Would you recruit for it provincially or from all parts of India?—From all parts of India.

3635. Would you recruit by competition, nomination, or both?—I prefer competition.

3636. Would you appoint Tahsildars by competition?—Yes, because we are unable to get well-educated young men for such posts.

3637. And how would you appoint your Deputy Collectors?—From Tahsildars. I would proceed by promotion.

3638. Are you aware that Subordinate Judges are sometimes appointed directly from the Bar?—There have been two or three such cases.

3639. And in the case of Deputy Collectorships, would you not have a competition or direct appointment for some of these posts?—In some cases, but as a rule I would have promotion.

3640. Would you appoint a man from the *Amlah* class to Tahsildarships?—If he had shown himself qualified by competition.

Mr. *Peacock.*

3641. If you have one competition for all India, do you not think that these Provinces will come in for a very small share of the appointments?—I don't think so.

Sir *Charles Turner.*

3642. Although some graduates of this Province have done well there has not been a very large number?—Since the establishment of the Muir College here there has been a great increase in the number.

Mr. *Ryland.*

3643. Have domiciled Europeans and Eurasians been excluded from Munsiffships in this Province?—Yes.

3644. Why?—Because they were considered not to be Natives of India.

Sir *Charles Turner.*

3645. Have you anything to say on the subject of pay and furlough?—I think European members of the Uncovenanted Service should get a little more pay.

3646. On what principle?—Because they are in a foreign country.

3647. And as regards furlough?—I offer no opinion.

Mr. *Stokes.*

3648. Up to what age would members of the Bar of the North-Western Provinces High Court compete for Munsiffships and Subordinate Judgeships, supposing them to be open to competition? Between the ages of twenty-five and thirty, I think.

3649. Beyond thirty?—I think so.

3650. Then you think there would be no difficulty on the score of age?—No.

Mr. *Peacock.*

3651. Do you think a man of thirty-five would have less chance in a competition than a man of twenty-five?—I think so.

Sir *Charles Turner.*

3652. Would Pleaders in good practice be likely to compete?—Of course not.

3653. What post would such a man be likely to accept?—He might accept a Subordinate Judgeship of the first grade, but not a Munsiffship.

3654. Is a man of good ability pretty sure to obtain a good practice in these Provinces in ten years?—Yes.

3655. A man of ability of twenty-five years of age would therefore compete and a man of thirty would not?—Yes.

3656. Have you anything else to say?—Nothing else.

WITNESS XLIX.—*7th January, 1887.*

Mahabir *Pershad Singh.*

Examination of Mahabir PERSHAD SINGH, Zemindar, Allahabad District.

Mr. *Stokes.*

3657. You are a Talukdar?—Yes, my zemindari is in the Allahabad District.

3658.—Are you a voluntary witness?—Yes.

3659. Is there any point on which you particularly desire to be examined?—No, I am ready to be examined on the general questions. As regards the Statutory system I have to propose that it should be retained only until a sufficient number of Natives succeed at the open competitive examination in England.

3660. And what would you do then?—I would abolish it.

3661. Would you amalgamate it with the Covenanted Civil Service?—Yes.

3662. What proportion of successful Natives would induce you to say that the service was no longer required?—About half.

3663. Have you anything else to propose?—I should like to see simultaneous examinations in both countries.

3664. Should they be identical also?—Yes, and there should be only one list of successful candidates.

3665. Would you raise the present age limit?—Yes, to twenty-three years.

3666. Would you require the successful candidates in the Indian competition to proceed to England for training?—I would encourage them to go because residence in England would improve their minds and have a beneficial effect on their after-career, as experience has shown, and I would pay the passage-money of those who want to compete. I would require certain moral qualifications from the candidates. They would have to possess strength of mind and integrity. They would have to be graduates and men of good family also, experience having shown that men of that class are better administrators than men of low family.

The Hon'ble Mr. *Quinton.*

3667. To what caste do you belong?—I am a Brahman. I belong to the Maharaja of Benares' family.

The *President.*

3668. Do people of your caste entertain any strong objection to going to England?—None of my caste has ever yet gone. Last year, when a Hindu went to England from this very place, I presided at a farewell meeting, and also subscribed towards the payment of his expenses. There are some who object, but on customary rather than religious grounds. These objections will gradually disappear. If I had the time I would go myself, and I intend to send my son there.

3669. Would you admit Europeans as well as Natives to the competition in India?—Yes.

Mr. *Nulkar.*

3670. Would you add physical qualifications?—They are useful qualifications and they do no harm, but the possession of them ought not to be made indispensable.

Mr. *Nulkar*—contd.

3671. What is the distinct advantage which you attribute to a visit to England?—It expands the mind, gives experience and widens the views.

3672. Would you make a distinction between those Native candidates who went to England and those who offered themselves out here?—I would require some additional qualifications from Natives competing out here, such as good birth and family.

The Hon'ble *Syad Ahmed,* Khan Bahadur.

3673. How are you to have open competition if you qualify it in this way?—If men of low caste and family are appointed to higher posts the country will suffer, and therefore I would require the qualification of birth and family from Natives of India. I would have the selection first and competition afterwards.

Mr. *Stokes.*

3674. Have you anything to suggest as regards the Uncovenanted Service?—Yes.

3675. Would you recruit your Tahsildars, Deputy Collectors, Munsiffs and Subordinate Judges from all natural-born subjects of Her Majesty, whether Natives or Europeans?—Yes.

The *President.*

3676. Would you retain the present rules for appointing to these posts?—I would retain the present rules, but would limit their operation to persons who have taken the degree of B.A. or F.A.

3677. And for the judicial posts, would you select from Pleaders and the Bar?—Yes, but not exclusively so.

3678. Would this recruitment be provincial?—Other qualifications being equal, I would prefer the Natives of the Province.

Mr. *White.*

3679. Is not your proposal to allow only persons of good family to avail themselves of your system rather at variance with the Queen's Proclamation?—I have merely expressed my views; it will be for the Government to decide.

Mr. *Stokes.*

3680. As regards pay and furlough, do you wish to say anything?—Yes, I think the difference between the pay of the Native Statutory Civilian and the Covenanted Civilian should be twenty per cent. only. The present difference is too great, because the expenses of the Statutory Civilian are much the same as those of the Covenanted Civilian.

3681. And as regards furlough?—I think Europeans should be allowed more furlough than Natives of this country, seeing that they are at a distance from their homes.

The *President.*

3682. Do you consider the pay of the Statutory Civilian, Rs. 200 a month on first appointment and Rs. 250 on passing the departmental examination, is sufficient?—I think the pay on first appointment should be Rs. 250.

3683. Why?—Because the expenses of the Statutory Civilians increase on their appointment to the service, and also because Deputy Collectors get Rs. 250. I knew two Statutory Civilians, their pay did not suffice for their expenses, and they had to supplement it out of their private means.

Mr. *Crosthwaite.*

3684. Where were you educated?—I was educated privately; I know a little English.

3685. What is the amount of revenue paid by you?—About a lakh of rupees.

The *President.*

3686. Is there any other point left untouched by your evidence on which you would like to say anything?—I have nothing more to say.

WITNESS L.—*7th January, 1887.*

Examination of Babu DURGA CHARAN BANERJI, B.A., Pleader, North-Western Provinces.

Babu *Durga Charan Banerji.*

The *President.*

3687. You are a Bengali, are you not?—Yes, but I am domiciled in this Province since 1862. My father came here in 1848. My family has been here since 1853. I was educated in the Muir College and took my degree of B.A. at the Calcutta University. I have been a Pleader of the High Court here for four years.

Mr. *Crosthwaite.*

3688. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—It is not.

3689. On what grounds is it disapproved?—In the first place merit and ability are not sufficiently considered; in the next place, too much regard is paid to "family."

3690. Do you share these objections?—I think there should be some educational test.

3691. Do you object to preference being given to men of family?—I think respectability only should be required.

3692. What educational test would you have?—I would insist on the appointments being confined to graduates and Uncovenanted servants.

3693. Do you think graduates of respectability could be had in sufficient numbers?—Yes.

3694. How would you appoint graduates?—I would have a competition among persons whose respectability was certified.

3695. You would have limited competition among nominees?—In nominating only respectability should be taken into account.

3996. How would you appoint members of the Uncovenanted Service?—By competition.

3697. But suppose you had a Covenanted man of twenty years' service?—Still I would make him compete.

3698. Have you thought out your scheme?—I have.

3699. With whom would you make him compete? With these young graduates?—Yes.

3700. Then you would put him in at the bottom of the service?—Why?

3701. Would you put these young graduates into the higher grades then?—Yes.

3702. Would you amend the Statute in any way?—For the present I would leave it as it is.

3703. Are you satisfied with the definition of "Natives of India"?—I am.

3704. After selecting candidates in the manner you propose, would you compel them to go to England for training or encourage them only?—I would encourage them to go.

Mr. *White.*

3705. How would you reward proved merit and ability in the Uncovenanted Service?—Mere getting into the higher service is in itself a reward, that is, if they stand the competitive test.

The Hon'ble Mr. *Quinton.*

3706. How long is it since you took your degree?—In January, 1876.

3707. When did you pass the Pleaders' Examination?—In 1883.

3708. What were you doing in the meantime?—I was a licensed Translator in the High Court.

3709. How old are you?—I am now twenty-nine.

The *President.*

3710. You say that merit and ability are not taken into consideration in making these appointments?—Yes.

3711. Does not the Statute require that only such persons shall be appointed as are of proved merit and ability, and do you mean to say that the appointments now made are in violation of the Statute?—I mean to say that the rules are not strictly consistent with the Statute.

Mr. *Crosthwaite.*

3712. Is the present mode of recruiting for the Civil Service by competition in England approved of?—It is approved of.

3713. Do Natives of India labor under any disadvantages in competing for this service?—They do on account of (1) the age, (2) the place of examination and (3) the caste prejudices entertained by some classes of Hindus.

3714. Do you think the present subjects of examination place them at a disadvantage?—I do not think so.

3715. And what alteration would you make as to the age?—I would have nineteen to twenty-three as the limits.

3216. Would you hold an examination in India simultaneously with the examination in England?—Yes.

3717. And would you send the successful candidates to England for training?—Yes, I think an English training is absolutely necessary.

3718. Would you make it compulsory, caste prejudices notwithstanding?—Yes, caste prejudices may be disregarded.

3719. Of what caste are you?—I am a Bengali Brahman.

3720. But would it not create dissatisfaction and ill-feeling if the selected candidates were required to proceed to England?—At first, perhaps, but gradually the feeling would die out. Caste prejudices are not so strong as they were.

3721. Would you have your Indian examination identical with the English one?—Yes.

3722. And one test for both?—Yes.

3723. From which appointments would be made according to the candidates' standing?—Yes.

3724. Would you recruit for the posts of Tahsildars, Deputy Collectors, Munsiffs and Subordinate Judges from all classes of Her Majesty's subjects or only from Natives of India as described in the Statute?—Only from Natives of India. I would not extend the definition at all.

Mr. *Crosthwaite*—contd.

3725. You are aware that at present Euro-Service ?re excluded from the Uncovenanted peans a—Yes.

372 . And that sons of domiciled Englishmen who happen to be born in England and even persons born within the territories of Feudatory Native States are excluded? Would you exclude this latter class from the service?—No, I would admit them.

3727. Would you also admit the sons of European officers serving in India?—No.

3728. How would you recruit for this service?—Appointments to Tahsildarships should be made by competition among nominees, the nominees being under-graduates, and, to a limited extent, men of the *Amlah* class, that is, only those who could produce certificates of integrity. By under-graduates I mean men who have passed the F.A. For Deputy Collectorships I would have open competition among Tahsildars and graduates.

3729. Would you allow any Tahsildar to compete?—Only such as were approved of.

3730. Would you let any graduate compete?—Only if he belonged to a respectable family and was himself of good character. For Munsiffships I would recruit by selection from District Court Pleaders of five years' standing and High Court Pleaders of two years' standing, and for Subordinate Judgeships from Munsiffs and members of the Bar.

3731. Do you think that approved Tahsildars who had been some years in the service would have any chance in competition with graduates?—Yes, because of their practical experience.

3732. The examination then would be departmental?—Yes.

3733. Not a mere literary examination?—Of course not.

3734. Would you restrict your recruitment to Natives of the Province?—Where the candidates were equally qualified in other respects the preference would be given to the Natives of the Province; domiciled men, though by race of other Provinces, being included in the term.

3735. If the Statutory Service is abolished, what would you do with the appointments now assigned to that service?—I would transfer them to the Uncovenanted Service.

Mr. *White.*

3736. When you speak of respectability, do you mean in point of caste, or social position as understood in Europe?—Caste would come in only to some extent, but men of very low caste would be excluded.

3737. Do you think that England would be what it is had education and public offices been restricted to certain classes?—I should say not.

3738. How can you possibly get the best men for the service here if you allow these class distinctions to govern your selections?—Why not? Are the best men only to be obtained from the lowest castes?

The *President.*

3739. Are you not introducing distinctions which are contrary to Act of Parliament and the Queen's Proclamation? Would you disqualify a man because he was a sweeper?—Yes, practically and without contravening any Act of Parliament, because it is not to be expected that such a case would ever arise.

3740. Given a sweeper with the qualifications you prescribe—educational and good moral character; on what grounds can you justify his exclusion?—It would, no doubt, be inconsistent with the spirit of the Proclamation, but my opinion remains the same notwithstanding.

Mr. *Peacock.*

3741. Would you reserve any particular proportion of the Subordinate Judgeships for members of the Bar?—I would not lay down any hard and fast rule, but the proportion ought to be about one-third in the case of the Bar and two-thirds in the case of Munsiffs.

3742. Do you think that by reserving these appointments for members of the Bar you would be deterring other members of the Bar from accepting Munsiffships?—No, because I would give the Munsiffships to junior men.

The *President.*

3743. Have you exhausted all your evidence or is there anything else you would like to lay before the Commission?—I have nothing to add to what I have said.

WITNESS LI.—*8th January, 1887.*

Examination of ALAN CADELL, Esq., of the Covenanted Civil Service; Magistrate and Collector of Aligarh. *Alan Cadell, Esq.*

Sir *Charles Turner.*

3744. You are a member of the Covenanted Civil Service?—Yes.

3745. When did you enter the service?—In 1862. I was for fourteen years in the Settlement Department in these Provinces. Since then I have been for five years in charge of a district and for a year and a half I acted as Commissioner of Excise and Stamps.

3746. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—I think the system of appointment is approved, but I have heard a good deal of dissatisfaction expressed at the nominations.

3747. On what grounds?—I should say by the two highest classes: first, the highly educated who object to any but highly educated University men being appointed; and there is a large class of the older school who look very much to birth and position. There is no question about it that the highly educated classes were much hurt at one time by the exclusion of the majority of their body, and now that Government is appointing men of University education the older school feel hurt. It is impossible to satisfy both classes.

3748. Is any objection taken to the system on other grounds, with reference to salary?—Yes, it is thought the salary is too low. I think so myself.i I think some concession might well be made n that direction, especially on first appointment.

3749. With regard to the appointment to posts which the Statute contemplates, is there any dissatisfaction expressed on that ground?—There have been so few appointments hitherto. I think a more thorough incorporation with the service would gratify people very much, that is, if they were admitted finally and for good into the Civil Service and no distinction were made between the two classes—Competitive Civilians and Statutory Civilians.

3750. Would you suggest any amendment to the rules of the Statutory Service?—I think perhaps that the age might be still further relaxed: it would give a larger field for selection if the age was raised to thirty, and you would have more opportunity for appointing men of tried service and ability.

3751. Would you propose to amend the provisions of the Statute in any respect?—No, I don't think so.

3752. Would you extend the definition of the term "Natives of India" so as to include Europeans not domiciled in this country?—No, I would not.

3753. Or Natives who are subjects of Feudatory States?—Yes, I think I would admit them very much as our subjects are admitted in Native States.

3754. If the Statutory Service is retained would you require the selected candidates to proceed to England for training or would you encourage them to go?—I would encourage them to go. I think encouragement should come after they have passed all their examinations out here.

Sir *Charles Turner*—contd.

3755. Do you object to the system of probation required by the present rules?—I think it is very desirable.

3756. Comparing the Statutory Civilians appointed in these Provinces with the officers in the Uncovenanted Service, do you think that they are equally good or better men?—I have had no personal experience of their work. There are many men of much the same ability to be found in the Uncovenanted ranks—men who have passed the same tests and are *primâ facie* as good men.

3757. Are the gentlemen who have been appointed Statutory Civilians superior in social rank to men in the Uncovenanted Service?—I think, on the average, they are.

3758. Are they what you would call of higher rank?—All the men who were first appointed were distinctly of high rank: latterly, more weight has been given to education.

3759. Would it be easy to find among members of high families in these Provinces men qualified for the appointments?—I do not think it would for the present. It is very hard to get men of the highest landed families, but very many men of the families of officials, and especially of the educated classes, are now qualifying.

3760. Do members of the old landed families readily enter the service?—Yes, but they have neglected education so much that now-a-days you have a difficulty in getting one.

3761. If the Statutory Service is abolished, do you think there would be any difficulty in securing candidates from these families for appointments in the Uncovenanted Service?—I think you would get them to a limited extent, and as more attention is paid to education the number would rapidly increase.

Mr. *White.*

3762. Have you read the debates in Parliament, and the despatches of the Secretary of State and the Duke of Argyll, particularly declaring the policy of the Statute of 1870?—Yes.

3763. And do not those debates and the despatches of the Duke of Argyll *primâ facie* point to the selection of merit and ability in the Uncovenanted Civil Service for the Statutory Service?—As far as I recollect, they do.

3764. Do you not think that men of exceptional merit and ability in the Uncovenanted Service must have been very much disappointed with the system eventually adopted for recruiting the Statutory Civil Service, considering that they had some right to expect those appointments from the views expressed by the Secretary of State?—I do not think many of the Uncovenanted Service entered it with the prospect of being promoted out of it.

Mr. *White.*

3765. I am merely referring to the declared policy and intention of members of Parliament who took part in the debates, and the despatches of the Duke of Argyll, as including these men of merit and ability in the Uncovenanted Service among men who might expect promotion. Were they not encouraged by those declarations?—Yes, in a general way.

3766. And of the Statutory Civilians appointed in these Provinces none have been Eurasians or domiciled Europeans?—No, none were.

3767. Do you know that in these Provinces the impression prevailed that, under the rules framed for the guidance of Government, there was to be no recruitment of Statutory Civilians from these classes?—It has of course since been declared that appointments were to be made from all classes, but do you not think that dissatisfaction has been given to these classes by reason of the error and that their exclusion is unjust?—I do not think it is unjust if Government do not find men suitable for promotion.

3768. In all the North-West Provinces was there not one man?—I suppose Government did not find a man suited, in their opinion, for appointment.

3769. Gentlemen would hold different opinions. Some men would consider themselves qualified, and, perhaps, in the opinion of others they would have been considered qualified; but considering the broad principle as to how these persons were excluded, do you not think they would have a grievance?—Government has the privilege of selecting men from all classes. I suppose Government would recruit from the class to which you refer when it met with suitable candidates.

Mr. *Nulkar.*

3770. You said the salary was not sufficient and you would give more?—I have put down, as a suggestion, Rs. 300 instead of Rs. 200. I think they ought to start with something more than subordinate men in the service. Rs. 200 is the pay of a Tahsildar and the lowest pay of a Deputy Collector.

3771. The present scale is two-thirds; would you raise that scale?—I would.

3772. To what?—I should give them seventy-five or eighty per cent.

3773. As regards the definition "Natives of India" would you retain or change the definition given in the Statute?—I think if the term includes any person born or domiciled within the dominions of Her Majesty in India, that is sufficient.

3774. Do you not know that the definition at present excludes children of Europeans and Eurasians domiciled for some generations if they happened to be born out of British territory?—That struck me as a difficulty.

3775. Would you alter that?—I remember noticing that. Some amendment ought to be made. The mere question of birth should make no difference.

The Hon'ble Mr. Justice *Mitter.*

3776. You said that at first preference was given in nominations to men of high birth; but that latterly greater weight had been given to educational tests; which of these two classes of officers have proved the more efficient public servants?—I have had no personal experience of their work; I have never had a Statutory Civilian working under me.

The Hon'ble Mr. Justice *Mitter*—contd.

3777. Has any objection been made to you by any persons likely to be appointed to the service against the rule requiring probation?—I never heard any objection made on that ground.

3778. What conditions would you prescribe for candidates for the Statutory Service, if that service is retained?—I think that gradually the standard of education should be raised, but I would do it slowly so as to include the present backward classes.

3779. Would you do that now?—Yes, the landed class are still backward in education. If possible, the age for the competition in England should be increased; it would be very hard on a man who had passed the competitive examination, if younger men were put in before him. If the age for the competition in England was raised, I would fix the limit of age for admission to the Statutory Service very slightly above that age so as to give them no advantage over men who had passed the competition at home.

3780. Do you think a system of competition might be introduced among candidates nominated by Government for the Statutory Civil Service?—I do not think at present that the North-Western Provinces are ripe for this.

3781. Not for competition amongst selected candidates?—I think that is more suited to a country where there is very general equality in education; there is a very great inequality in the North-Western Provinces.

3782. Would it not give more general satisfaction to families whose interests are supposed to be consulted by the establishment of the Statutory Civil Service, if competition was allowed among a certain number of candidates selected from such families?—Which families?

3783. Old landed families?—They would infinitely prefer nomination as at present.

3784. They would not be willing that their sons should compete one against another?—No, I think they would rather have nomination.

The *President.*

3785. Have you heard any dissatisfaction expressed with the existing system of recruitment for the Covenanted Civil Service?—No, I have not.

3786 Should any, and if any what, change be made in the system?—My only objection to it is that these gentlemen come out a little too young.

3787. Have you heard that objection taken by the Natives?—No, they object to it solely on account of the disadvantages under which it places Native competitors in England.

3788. What are these disadvantages?—That very few boys start with a knowledge of English that places them at a disadvantage as compared with English boys; and they would like a postponement of the age at which the entrance examination is fixed, in order that they may have a better chance.

3789. To what limit would you raise the age?—I think to twenty-one years would be sufficient.

The *President*—contd.

3790. What are the other disadvantages under which you consider the Natives labor?—The small marks given to Oriental classical languages places Natives at a disadvantage, more especially with the limit of age as at present.

3791. Would you make any alterations in the subjects of examination or the marks assigned?—That is a question for experts, but I would be disposed to give more marks for Sanskrit and Arabic.

3792. What do you say respecting Persian?—I would treat that as a foreign language on the same footing as French, German and Italian.

3793. Would it be desirable to hold an examination for the Covenanted Service in India as well as in England?—I do not think so.

3794. What are your grounds for objecting?—I think that the training in England is of very great advantage if it can be secured, and that there would be great difficulty in conducting two examinations.

3795. Do you think that the Natives we obtain under the existing system of the open competition in England are the best as regards character and capacity that could be obtained under any system?—That is a difficult question for a man to answer who has had no experience of Natives who have passed the competitive examination, but for years to come there will be great difficulty in getting men from the North-Western Provinces.

3796. Do you think that any Native youths who would be likely to succeed in the competition in England are deterred from going to England by caste prejudice or want of means?—No doubt many are from want of means, and caste prejudice is still predominant among a large number of Hindus.

Mr. *Nulkar.*

3797. Do you think the Natives who pass the examination in England are the best that could be had, seeing the disadvantages which you have just mentioned; are they the best Native candidates that could be had under any system?—There is only one Native competitive Civilian in the North-Western Provinces.

3798. Is it not in your opinion probable that better educated Natives could be had if an examination were held in India and the successful candidates then sent to England to compete?—No, I do not think that.

3799. Do you think that no Native candidate would have a fair chance of passing who is now deterred from competing because the examination is held in England?—No, some perhaps would. I would rather meet that difficulty by giving scholarships.

Mr. *Peacock.*

3800. You say that you object to an examination in India because you think a training in England is of such great importance?—I think if you open the door to competition you may as well have the preliminary training in England.

3801. If an examination were held simultaneously in India and England and the successful competitors were required to go to England for a specified period, would not that give them a period, after the open competition, of two years to be spent in the same way as men do at home?—That would be practicable.

Mr. *Peacock*—contd.

3802. In that case would you offer any facilities for a Native to go to England?—I think Native candidates might very well have facilities. I would not offer facilities for candidates to go home especially to compete for the Civil Service, but I would offer facilities for passed men and allow them to follow any line they liked.

3803. Successful competitors having passed that examination should be forced to go to England for training?—I think they should be allowed facilities.

3804. And those facilities should be?—I think passage money and free allowances.

3805. And having got them trained would you put them on the same footing as successful candidates at the English examination?—Yes.

The Hon'ble Mr. Justice *Mitter.*

3806. You assign two reasons for not holding an examination in India, one of which is the want of training in England which is essential for a candidate to be successful. Are there any other difficulties?—There would be a difficulty in keeping the papers secret.

3807. No other difficulty?—There would not be any others.

Mr. *Peacock.*

3808. Have you considered the question of the *vivâ voce* examination? Would not there be a difficulty in conducting it?—Yes, there would be inequality.

The Hon'ble Mr. Justice *Mitter.*

3809. Do you think that would be insuperable, so strong as to negative the possibility of an examination out here?—*Vivâ voce* answers would have to be recorded and sent home, so that those at home might check them off.

3810. If the lines were sent out on which *vivâ voce* examination was to be conducted, would not a sufficiently approximate *vivâ voce* examination be obtained for comparison with the results of the English examination?—I think the examiners at home could probably adjust any inequality.

Mr. *Crosthwaite.*

3811. You said you would recommend some additional facilities to be given to Natives to proceed to England?—In a general way, not with a special object; I think scholarships might be increased.

3812. Why do you want to increase the examination value of Oriental classics?—To put the Natives of India on an equality with Englishmen.

3813. Is not the great disadvantage under which Natives labor the fact that the examination is held in England?—Yes.

3814. Why do you not wish to remove that if you remove the minor disadvantages?—The Natives are beginning to go home now in large numbers. I think if the disadvantage was removed, they would go home much more readily. I come from the head-quarters of a single college, of which the students go home in twos and threes every year. It is not that men do not go home, but that, owing to some reason or other, they do not pass when they get home.

Mr. *Crosthwaite*—contd.

3815. Is the object of a competitive examination to get a certain number of the best Natives as officers for the Government service?—The object is to get the best men you can on an apparently fair and equitable system.

3816. If you alter the examination value of the Oriental classics would you still get the best men? Are you giving an advantage in the competition to men of inferior education in order to put them on a level with men of superior education?—Government has accepted the principle that a certain proportion of the Natives of India should be admitted into the Civil Service. If they can get in by competition the necessity of any other method might be gradually removed. I do not think we can dispense with the Statutory Service in the North-West Provinces at present.

2817. Then you would prefer the Statute, under certain conditions, to giving Natives advantages in the competition?—If the advantages in competition secured the admission of what was considered a sufficient number of Natives of India, the Statute would not be required. The difficulty is that no competition will secure the admission of North-West men for many years to come.

3818. Would it not be the simplest way to give them a certain number of marks to start with?—It seems rather unfair to open a door nominally and then to fix the conditions, so that it is almost impossible for any one to enter. Certainly no men from the North-West Provinces.

3819. Although the examination is open, might not the same argument be used by those who cannot afford to get a good education so as to enter? Might not a schoolboy in England urge "my father cannot afford to send me to school, and therefore I am very badly treated"?—That is a disadvantage that attaches to poverty everywhere; still here you really prevent a very large population of all classes from entertaining any real hope of success.

3820. What I want you to tell me is whether you really think that by altering the examination value of the Oriental classics you would materially affect the quality of the men? I do not think you would get better men.

3821. Would you get worse men?—It is difficult to say. You would do more justice to the people of India and meet a certain definite objection on their part.

3822. Do you think the system of education in higher schools and colleges in India is well adapted to training young men for the public service?—I think it is well adapted for training them for the lower branches of the public service, and I think it is steadily and gradually improving.

3823. You think that the intellectual training in the Indian Colleges is good enough?—Yes.

3824. Do you mean to make a distinction between intellectual and moral training?—I do not think there is any difference between the moral training at an ordinary Indian school and that of an ordinary school in Great Britain. But then again I think that recent departures have secured or are securing distinct improvements.

Mr. *Crosthwaite*—contd.

3825. You say for the lower posts. Do you think the training given in Indian colleges and schools is sufficient for the higher posts in the service?—I think that selected men might be found for the higher posts. I do not think you could say the average Indian schoolboy would make a good man for the higher posts.

3826. In its general results the training is not sufficient?—No, it is not.

3827. Do you consider that Indian schools at present develop force of character and other qualities necessary for English administration?—Not generally, but then I would say again that times are changing fast and there is a distinct improvement in many schools.

3828. Have you had any educated Natives under you in executive posts, men who took degrees?—Yes, but I have had more to do with them before they went into executive posts. I have had information respecting them.

3829. Have you been satisfied with them?—Yes, distinctly.

3830. In every way?—Yes, on the whole.

3831. You have served in the Banda District?—Yes.

3832. Was Karwi at that time officered by Natives?—No, by Covenanted Civilians, except for short periods of a month or two.

3833. Would you hesitate to place a Native in charge of Karwi Sub-division?—I think one might be found.

3834. Could you select one to-morrow?—I think so.

3835. I think you said that several boys every year go to England for educational purposes?—Yes.

3836. Are they from a wealthy class?—No, from professional classes. The landowner classes in the part of the country where I have served have not yet begun to educate themselves.

3837. Professional classes?—Yes, with a small proportion of the Zemindari class. They go at their own expense. I have heard of a subscription being raised in one case to send a man of energy to England.

3838. Are the persons that go to England limited to any particular race or creed?—Those with whom I am acquainted are entirely Mahomedans.

3839. You know of no case of a Hindu?—I have known one or two cases, not from my own part of the country; I have not known the families intimately.

3840. Have you seen any of the Mahomedans who have returned?—Yes.

3841. Do you think in any respect they have lost touch or sympathy with their people by going to England?—At first they may have done so and may feel the change, but there is a considerable number of educated men amongst their co-religionists, and they very shortly regain their sympathy with their own people.

3842. One of the advantages would be that we should be able to learn from them the way in which various laws are regarded by their countrymen. Do you think a long residence in England would disqualify a Native from giving advice in such cases?—If I had been asked this question ten years ago I would have said, yes. They are returning much more now to the old

Mr. *Crosthwaite.*—contd.

circle of acquaintances. There are more of the educated class to receive them, and they fall back into their own ranks more quickly.

Mr. *Stokes.*

3843. Do you think that any of the appointments now held by the Covenanted Civil Service in these Provinces might be thrown open to Natives?—I think there are selected men who would fill Civil Judgeships with credit.

3844. Do you think that any proportion of the appointments now held by Covenanted Civilians could be given to Natives?—I should be afraid to say any proportion. I think isolated appointments might be made.

3845. You have mentioned District Judgeships; do you mean the criminal as well as civil jurisdiction of a District Judge?—No, I meant the civil jurisdiction.

Sir *Charles Turner.*

3846. What is your opinion of Native Magistrates. Do you consider them efficient in the discharge of their duties?—Fairly efficient, and they are improving as we get better educated men.

3847. On what ground would you assign the civil work only of the District Judge to Natives?—In the first place the men who are most eligible for promotion are accustomed to it. In the second place I think that it is admitted by most Natives I have ever come in contact with that criminal work is more suited for a European than for a Native Judge, as you have no Native who has had much experience of criminal work.

3848. The Native Magistracy has had experience of criminal work?—I do not know myself of any one who would be looked upon by the community at large as a suitable candidate. The acknowledged leaders of different communities have always restricted their views to Civil Judgeships, and have maintained that Criminal Judgeships should be conferred on Covenanted Civilians.

3849. Have they given any reason for restricting Native officers to civil work?—No, they have given no reasons.

3850. Do you mean by Covenanted Civilians, the European Covenanted Civilians?—Yes.

3851. The District Judge at present exercises supervision over the Subordinate Courts?—Yes.

3852. Do you think that a Native Civilian Judge would exercise supervision as effectually as the European District Judge?—I think you might find a few who would.

3853. Do you think that the Subordinate Courts act more independently, are they more likely to decide without bias or partiality, when there is a European at the head of the judicial administration of the district?—I do not see why they should. The Native who would be selected would be a specially qualified officer.

3854. Is it not your experience that Natives look to the District Judge for support?—I should doubt that in civil work.

3855. In cases between Government and the individual?—My experience of civil work is limited. I should think that the best Native Judges are entirely independent of the District Judge.

Sir *Charles Turner*—contd.

3856. Have you heard opinions expressed favorable to their efficiency?—There are opinions both ways.

3857. What is the prevalent opinion as to their efficiency?—The prevalent opinion is that the judicial service has distinctly improved during the last twenty years, and that there is a limited number of extremely good men.

3858. Can you give any opinion about the District Judges and the Subordinate Judges as appellate Courts?—I think on the whole the general opinion is one of approval.

3859. As to the Uncovenanted Service, do you think that the Uncovenanted Service should be recruited only from Natives of India as described in Statute 33 Vic., or from all natural-born subjects of Her Majesty?—I think it should be recruited from the children of persons domiciled in India.

3860. From Natives of India as described in the Statute?—Yes.

3861. Should recruitment be made by competition, nomination, or both systems combined?—I do not think that the North-West Provinces are ripe for open competition, but I should not object to competition being tried in a limited number of cases. I would recruit Tahsildars by nomination by districts.

3862. Any by promotion from the inferior grades?—No, I should appoint Tahsildars by nomination.

3863. As to Deputy Collectors, would you recruit by nomination, competition, or by limited competition?—I think that the honorary men should rise in their own line; I think there is great injury done to the executive by appointments from honorary to executive posts. Deputy Collectors should be included if limited competition was tried, for small number of posts, to see how it worked.

3864. You would then have to provide for meritorious Tahsildars?—I should not object to that, but I think our present system now works extremely well, and we get extremely good men in the lower grades appointed for educational qualifications and general capacity.

3865. Are they equal to men who obtain posts as Munsiffs in point of education?—Quite. Many of them have obtained Pleadership certificates. It is a matter of chance whether a man goes into one or the other branch. I helped a man to obtain a Deputy Collector's place who had a High Court Pleader's certificate, and was looking for judicial appointment.

3866. Would you have the competition open to all India, or restricted to persons residing in the territories under the administration?—I should restrict it to the Province. I would not exclude a man, because his father or grandfather had emigrated from Bengal for example. Persons domiciled I would admit.

3867. If the existing Statutory Service was abolished, would you assign the offices now allotted to that service to the Uncovenanted Service?—I think I would maintain it.

3868. If you did not, would you throw the quota of appointments assigned to that service into the appointments of the Uncovenanted Service?—That would depend largely upon whether you got a number of Natives in by competition.

Sir *Charles Turner*—contd.

If you did not, I should give the appointments to the Uncovenanted Service.

3869. If you got your quota of Native Civilians by competition, you would not throw the quota assigned to the Statutory into the appointments held by the Uncovenanted Service?—No, if you render a man in the Covenanted Service liable to have a member of the Uncovenanted Service put in over his head, you will dishearten the poorest members and injure the future prospects of the Service.

Mr. *Ryland.*

3870. You said if Uncovenanted men were appointed to posts in the Covenanted Service it might injure the service and cause dissatisfaction among the members. Do you not think a number of appointments should be permanently set apart for the best men in the Uncovenanted Service?—Yes.

3871. With advantage?—Yes.

3872. You are of opinion that the Uncovenanted Service should be open to all natural-born subjects of Her Majesty?—Yes, if domiciled in the Province.

3873. If the Uncovenanted Service is confined to certain natural-born subjects of Her Majesty, on what grounds, bearing in mind the terms of the Acts of Parliament and Her Majesty's Proclamation of 1st November 1858, is this to be justified?—None, but the Natives of Madras would have the appointments in their own Province, and of Bombay in their own Province, so that no injustice would be done to them.

3874. You would exclude natural-born subjects and only have Statutory Natives for the appointments?—That service if retained should include all persons parmanently domiciled in India.

3875. I suppose you are aware that when the Statutory Service was introduced, the junior Civilians of these Provinces and other Provinces memorialized the Secretary of State against what they considered to be an infraction of their rights?—I think I do remember it; I do not remember details.

3876. Are you aware that it is the case that in consequence of that memorial and of the orders since passed by the Secretary of State the Uncovenanted men, say in Non-regulation Provinces, have been excluded from the promotion to which they had previously been declared eligible? Are you aware of any such case?—That is a question to ask Government. Uncovenanted Service men have been promoted to Commissionerships in such Provinces.

3877. But have they not since been shut out?—I have never served in a Non-regulation Province, I think there is one Uncovenanted man acting as Commissioner now, and several men have been holding prominent appointments in the Commission. I remember Mr. MacConochie being a Deputy Commissioner of the first grade. Mr. Herbert Harrington is acting as Commissioner, I think, now.

3878. Have you had experience of European Uncovenanted officers in posts similar to those reserved for Covenanted officers?—Yes.

3879. Do you think they perform their duties satisfactorily?—I think so. For certain posts I think those that I have met are superior to

Mr. *Ryland*—contd.

Natives, for many other posts perhaps not so good. For the work at head-quarters in large stations they are I think in many ways superior.

Mr. *Peacock.*

3880. How did you say you would recruit Munsiffs?—The present system is, I think, satisfactory; a very good class of men is obtained.

Sir *Charles Turner.*

3881. By nomination from the Bar or ministerial offices?—I do not know about that, but they must have passed the Pleader's Examination.

Mr. *Peacock.*

3882. And the recruitment for Subordinate Judgeships?—That would naturally be made by selection.

3883. Would you introduce Barristers or Pleaders to the superior posts in the judicial service; men somewhat superior in attainments to those who take Munsiffships?—That has been done to some extent in these Provinces. It disheartens men who have entered from the beginning and really intended to enter the service. The uncertainty of promotion disheartens them.

3884. You have served as a Judge, have you not?—I have acted as a Judge.

3885. For any considerable period?—No, only for a short period.

3886. Have you had any experience of Pleaders who have been appointed Munsiffs, working under you?—Yes, I really cannot answer that question, because nearly all have passed the Pleadership Examination. I have had to do with the work of men who are Pleaders.

3887. Have you heard that the introduction of Barristers or Pleaders into Subordinate Judgeships has acted in any way to deter men from taking the junior appointments, that is to say Munsiffships?—There is such an enormous demand for Government appointments, if they were more disheartened than they have been, you would not find a less number of recruits.

3888. You said you would not make nominations to Tahsildarships from the *Amlah* classes, I presume you do not include Naib Tahsildars in that?—No, a Native of property lately said he would be glad to get his son in if there was the slightest chance of getting him in even as a Naib Tahsildar with hopes of promotion.

The Hon'ble Mr. Justice *Mitter.*

3889. If a sufficient number of qualified persons was available, would there be any administrative inconvenience if all the posts of District Judges were filled by Natives, as far as the civil work is concerned?—I do not think you could get a man in these Provinces fit for it. If they proved themselves as good men as we have been accustomed to, I do not think there would be.

Mr. *Crosthwaite.*

3890. Could you separate the criminal and civil jurisdiction of the District Judge without additional cost?—No, and it would make the criminal Judgeship a most unpopular appointment as the holder would be constantly itinerating.

3891. Do you know that in the Non-regulation Provinces the Commissioner does the work of Sessions Judge?—Yes.

Mr. *Crosthwaite*—contd.

3892. And he is constantly itinerating?—Over three districts.

3893. Is his appointment an unpopular one?—He has a variety of work besides the work of a Sessions Judge, pure and simple.

3894. Do you know that a Commissioner of a Non-regulation Province is hardly ever three weeks together in one place or ought not to be?—It is still worse for the Sessions Judge. He would be quite two-thirds of his time away.

3895. Would you have a Native Civil Judge?—I think you might commence by having a Native where the work cannot be got through.

3896. You would appoint him an additional Judge?—I would appoint him in an out-district at the beginning, where there is heavy appellate work and the work does not get done at present. There are several such districts in the North-West.

3897. Do you think there are many districts in the North-West Provinces which might be placed in charge of Native officers as Collectors and Magistrates?—It depends upon the officer; I do not see why they should not.

3898. Do you know any officers among Deputy Collectors who could be entrusted with such a position?—I cannot say that I do.

3899. Do you remember the orders passed by the Government of India, dated 18th April 1879, which forbid without special sanction the appointment of any person not being a Native of India, within the Statutory meaning, to any office carrying a salary of Rs. 200 a month or upwards, and which also debarred the promotion to such an office of persons not being Statutory Natives who entered the departments concerned after 1st January 1879?—Yes.

3900. What has been their effect, if any, on the subordinate executive and judicial services?—I do not think the effect has been unfavorable.

3901. How many years have you been in the North-West?—Twenty-three years.

3902. Do you remember during the first years of your service if there was a large number of Europeans among the Deputy Collectors who were debarred from promotion under this order?—Yes, there was.

3903. Among the Subordinate Judges?—There were some, as far as I recollect, among the Subordinate Judges.

3904. Was there a large proportion among the Deputy Collectors?—A greater proportion than now.

3905. Do you think it necessary to keep up the proportion of Europeans?—I think in large stations European Deputy Collectors are very desirable.

3906. They are not necessary for treasury work, are they?—I think on the whole they are better than any other class for work in large stations, not for small stations. I do not think they generally become discontented with the pay of the appointment.

3907. Have you had experience of Europeans in Deputy Collectorships?—I am not sure I ever had one under me. I have had a great deal to do with all Deputy Collectors as Commissioner of Stamps. I have seen a great deal of them in that way, yes.

3908. Was their work satifsactory?—Yes, perhaps they are more methodical.

Mr. *Crosthwaite*—contd.

3909. There was no friction between them and the Natives of the service?—No.

The Hon'ble Mr. *Quinton*.

3910. You are now speaking of Eurasians as well as Europeans?—I include both.

3911. There are two men in the whole Province?—There were more when I went there.

Mr. *Crosthwaite*.

3912. Did you say whether you would lay down any educational tests for candidates for the subordinate executive? Is there any educational test at present?—The middle class examination; I do not think it is sufficiently high. But I think it excludes now a great many men whom we might otherwise wish to nominate.

Mr. *Ryland*.

3913. The effect of this order, debarring Europeans and Eurasians, has been unfavorable to the Uncovenanted Service?—Yes.

3914. It results in this, that they are no longer admitted to these appointments and are practically dying out of that branch of the service?—Yes.

3915. We have been informed that domiciled Europeans and Eurasians, though otherwise qualified, have been refused appointments to Munsiffships on the ground that only pure Natives were to be appointed. Would you advocate the maintenance of this restriction?—No, I admit their claims are the same as those of others domiciled in the Province.

The Hon'ble Mr. Justice *Mitter*.

3916. Would you think it necessary to increase the staff of European agency in the Covenanted Service?—I should be very strongly opposed to any very large decrease in the number of Covenanted Civilians.

3917. In the circumstances of the Province?—Yes.

3918. If a reduction were made, would it be necessary to increase European agency?—I think it might be desirable in large stations.

3919. Have you had any experience of stations in which there have been riots?—In both districts, Mirzapur and Aligarh, of which I had charge there has been a great deal of religious dissension—one was a district which was largely peopled by Mahomedans.

3920. Do you think in these stations it is necessary to select the subordinate officers from a particular class or creed?—I think not, but there should be some officer to look to. The people are more happy under a man belonging to neither of the two classes.

3921. Do the people feel more confidence in such a man's impartiality?—Yes, I think the people at large would be more satisfied.

3922. Do you say that you have found Natives of both creeds, Mahomedans and Hindus, whom you consider impartial men?—Yes.

3923. Do you think that education increases their excellence in that particular?—I think it does, distinctly.

3924. Do you think that excellence in that particular is increased by a training in England?—Yes.

The Hon'ble Mr. Justice *Mitter*—contd.

3925. Have you noticed any difference between the results of Oriental education and English education in that respect?—I have not seen the work of any Native who has been educated in England. I have met a good many of them, but I have only noticed superficial facts.

Mr. *Crosthwaite.*

3926. Do you notice any difference between men well educated in Oriental science and men well educated at English schools or colleges in India?—Putting aside exceptions, I think that the Natives educated in English colleges in India are freer from prejudice and more methodical.

3927. You would not make an allotment of offices proportionate to castes?—That is a question that must be handled very carefully.

3928. The majority of Tahsildars in these Provinces are Mahomedans. Can you give us the causes?—Yes. It is an office that requires great physical capacity, that no doubt a Mahomedan has. Seventy-five per cent. of the Hindus appointed as Tahsildars fail in physical ability; they do their work in office very well.

3929. Of what caste generally are the Hindus who are appointed Tahsildars?—The majority are of the humbler castes, Kayasths, &c., who on the whole do very good executive work.

3930. Am I right in supposing that education has hardly yet touched those Hindu castes in this country in whom there is most energy of character, for instance the Rajputs?—Yes; there are exceptions, of course.

3931. Do you think that Rajputs will in a reasonable period avail themselves of the advantages now offered?—I think they are beginning, but it is very slow. I could think of one or two moderately educated men among Rajputs. I believe Raja Luchman Singh of Bulandshahr is a Rajput, and several of them have done fairly well in the service.

Sir *Charles Turner.*

3932. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted branches?—Certainly, I think the pay of a Statutory Civilian holding these posts ought to be improved; I am not sure whether full pay ought to be given to them.

3933. If you make a distinction in the pay you would give to holders of the same post, on what principle would you regulate that distinction?—I said before that I thought twenty-five or twenty per cent. was quite enough difference to make.

3934. Would you give the larger pay to the Covenanted Civil Service on the ground of their having been recruited in England or that the ability required of officers of the Covenanted Service could only be obtained at a high market price?—On the ground that they had been induced to enter the service on a distinct promise, and that this promise should be maintained.

3935. Is any dissatisfaction expressed by members of the Covenanted Civil Service at present in these Provinces at the pay they are now receiving?—For many years there was very great dissatisfaction.

Sir *Charles Turner*—contd.

3936. Owing to exceptional or permanent circumstances?—Owing to exceptional circumstances largely. Things are righting themselves now, but for very many years members of the Covenanted Civil Service were very badly off, and there was very serious discontent.

3937. Do you think that men of similar attainments to those now holding posts in the Covenanted Civil Service could be secured in England by the offer of smaller pecuniary advantages than are now held out to Covenanted Civilians?—I do not think so.

3938. Have you observed whether the men who in recent years have obtained appointments are as a class equal to those who were obtained ten years ago?—I think they are.

3939. Do you know whether or not the earnings of the professional classes in India have considerably increased?—That is a question regarding which I have no information.

3940. Do you think you would be able to secure the highest Native talent in this country for a less sum than is paid to the highest European talent?—Yes, I think you could.

3941. Would you make any distinction in the Furlough Rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer or on any other and what ground?—I think smaller privileges as to furlough would be sufficient.

3942. Would you say according to the domicile of the officer?—Yes, I think that I would prefer to do so. It has been admitted all along that men who have entered the service through the door of competition are entitled to all the rights of the service upon which they can establish their claim.

3943. Should any distinction be made according to nationality?—I was thinking of the case of men recruited from England. Taken as a class, I think less privileges would be necessary for men recruited in this country.

3944. Would you give men recruited in this country opportunities to visit England and so arrange their furlough rules as to enable them to go?—I think that for purposes of study it might be allowed, and that more favorable Furlough Rules should be granted under conditions of study.

3945. Would it not be desirable that officers at some time before attaining to high office should have an opportunity of visiting England?—I do not think so.

3946. You would make the Furlough Rules secure to every man an opportunity of visiting England once in his period of service, but you do not consider it necessary that those persons domiciled in this country should have as frequent opportunities of visiting England as would be required by officers recruited in England?—No.

Mr. *Ryland.*

3947. You say some years ago there was dissatisfaction among Civilians at the pay they received: I suppose you refer to stagnation in promotion?—Yes.

3948. If the numbers of the Uncovenanted Service were increased, do you not think the dissatisfaction would again occur at some future period?—The dissatisfaction arose in this way,

Mr. *Ryland*—contd.

as far as I can make out, that there were a great many vacancies during and after the mutiny, and while they were filling up those vacancies at home they were filling them up in India, so that in those days Civilians were appointed eighty at a time, and while they were coming out other men were being appointed in India to vacancies, so that on arrival from England men found the places they looked forward to filled up. A small increase now year by year would not have the same effect.

3949. Do you not think it a distinct advantage to allow men, even though they are in the Uncovenanted Service, to have opportunities of visiting England and keeping up their connection with England?—I do not mean they should altogether give up their domicile there.

3950. Do you think that that privilege would be of advantage?—I do not dispute that at all. The question is whether so many absences would be required in England. A man who comes from England, and whose family ties are in England in the majority of cases, goes home to see his friends. If a man has no friends in England he would not require to go.

3951. You would grant them fewer facilities?—Yes, for going to England.

3952. Must not some regard also be paid to the interest of the public service in India and to the expense that would be incurred by frequent furlough?—That is limited to some extent by the cost of going and coming.

3953. You would lose their services while absent?—Yes.

Mr. *Stokes.*

3954. Are you in favor of giving Europeans pensions at an earlier period of service than at present to expedite the retirement of those who are unfit for service?—No, I do not think so. I think there may in some exceptional cases be a difficulty to Government in that a medical certificate is not admitted more easily. I think it desirable that the retirement of useless men should be facilitated in some way or other.

Mr. *Stokes*—contd.

3955. In all branches of the service?—Yes.

The Hon'ble Mr. *Quinton.*

3956. Of course you would enjoin on Government the more strict use of their power to make men take their pension?—Yes.

3957. Would you leave Government the power of compelling a man to take his pension whether he wished it or not?—The question is a very difficult one.

The Hon'ble Mr. Justice *Mitter*

3958. As to the efficiency of the Uncovenanted Service, has it not of late very much improved?—I think it has, so far as my experience goes.

3959. To what cause do you attribute this?—Very largely to the spread of education. There are more educated men in it, and gradually a higher standard of work is establishing itself.

3960. Has the number of men of good family increased or decreased in the service?—That would be a very difficult question to answer. I do not think it has materially decreased within the last ten years.

Sir *Charles Turner.*

3961. Have you any further opinion which you wish to offer?—I do not think so.

WITNESS LII.—*8th January 1887.*

Examination of Raja RAMPAL SINGH, Talukdar of Oudh.

The Hon'ble Mr. *Quinton.*

3962. You are a Talukdar of Oudh?—Yes. I resided for ten years in England. I still retain my estates in Partabgarh. I returned from England two years ago. During my residence in England I kept up interest in public affairs in this country. I am editor of a newspaper too. While I was in England I had a weekly paper, now I have a daily paper at Kala Kunkur. The name of that paper is "Hindustan" Kala Kunkur is my headquarters, but not the head-quarters of my estate. I am Talukdar of Rampur. The house was built by my grandfather on the banks of the Ganges. I live there.

3963. You are aware of the system of appointing young men to the Statutory Civil Service?—Very well. I had been an Honorary Magistrate six years before I went to England. I passed my examination by the higher standard. My grandfather was Honorary Assistant Commissioner on his own estate. I now exercise my powers in the district, so that I know the system very well.

3964. You know the system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service; is it approved or not?—Not at all.

3965. By whom is dissatisfaction felt, by what classes?—I have not consulted many people, but I know, by the educated people of India as well as by the caste people.

3966. What are the grounds of dissatisfaction?—If I rightly remember, I think the conditions of the Statute have not been strictly carried out, because it was prescribed that people of proved merit and ability should be admitted. It has been rather the contrary in this country, that class has been entirely neglected so far as I know. That is one complaint. Another is that people of position have been selected and not people of ability.

3967. Do you know any of the gentlemen selected or not?—I know a great number of them; some of my relations were selected.

3968. Do you think that they are wanting in ability?—I could not say that; or if I said so I should be expressing only my own opinion; but as far as I think the service is concerned they are not so, with all due deference to them. As regards the requirements of the service they are not; they cannot cope with members of the Civil Service.

Sir *Charles Turner.*

3969. With whom are you comparing them with any other class of the service?—With Civilians who pass their examination in England. They cannot cope with them, they are not equal to them.

3970. Have you seen any of the Native gentlemen who have passed the competitive examination in England?—Yes, I have seen one who stood first of all the English candidates; that is one I have seen.

Sir *Charles Turner*—contd.

3971. Do you think the best Natives appointed as Statutory Civilians are inferior to those appointed in England as Covenanted servants?—I do not think that is so in all respects; so far as experience of the country is concerned, they are not, but so far as English education is concerned the liberal education of Europe, they are certainly inferior.

3972. That is one ground of dissatisfaction; is there any other?—That is all I can say.

3973. Would you in any way alter the Statute under which the rules are framed?—So far as my opinion goes, I would not have two or three or four systems; I would have only two. I would abolish the present Statutory system altogether. I only propose to adopt two; all other systems should be abolished.

3974. You are aware that under the present Statutory Rules one-sixth of the present appointments are reserved for Statutory Civilians. If you abolish the Statutory Service, what would you do with that one-sixth of appointments, give them back to the Covenanted or give them to the Uncovenanted Service?—When I say this I do not make any distinction. My object is to keep open the Civil Service as well as the Uncovenanted Service. I would not preserve anything particularly for Europeans or Natives, and if that rule is adhered to, there will be no necessity for reserving appointments for them.

3975. If the Statutory Service were retained, would you send the selected candidates to England for training?—I am opposed to it.

3976. Is there any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Certainly, very great.

3977. On what grounds?—One point is this: that while we have received plenty of promises to be treated in the same way as British-born subjects of Her Majesty, we are compelled to go a distance of five thousand or six thousand miles, to undergo all the hardships of a voyage, to be left in a foreign country of which we know nothing and to be lost in the London streets.

3978. Then I take it your first objection is to the place of examination?—Yes; another is that we can never understand the way to live for a couple of years after we go there.

3979. Are there any other disadvantages?—Certainly. The natives of India speak their own language, and English is not their mother-tongue; whereas an Englishman says what he learns by the fireside, with his mother, which cannot be acquired at that age by Indians, so that the examination being in English a candidate has the disadvantage of language.

3980. The Englishman has an advantage because of his home training and because the examination is conducted in his mother-tongue. Do you wish that the examination should not be conducted in English?—No.

Sir *Charles Turner*—contd.

3981. Then you object to the subjects?—Yes. There are certain compulsory languages, namely, Latin and Greek, and I object to the allotment of marks. The time has not yet come when we can have an examination in a common language, but as far as it can be facilitated it would be very desirable that languages, such as Sanskrit and Arabic and other languages of India, should be introduced and Indians give the option of passing an examination in these languages.

3982. He has the option of being examined in those languages?—Yes, of late.

3983. You would alter the value given to those languages in the examination?—My study in England was not for the Civil Service; I did not enquire much about it, but I should say that the number of marks given for Arabic and Sanskrit should be the same as for Latin and Greek. Persian is not one of the languages.

3984. Would you add Persian to the languages in which candidates should be examined?—No, because Persian is not the language of India, but there may be some other language, such as Bengali or some language more spoken in the country.

3985. Does any other difficulty occur to you to which the Native candidates are exposed?—As you have brought all these things under two headings, I think they are the principal things.

3986. Would you make any alteration in the age?—No. I would not; but I think that, as it is a matter of competition, the age might be reduced to ten, or increased to forty, it is quite immaterial; but we ought to get a fair chance of competition for the people of India, and once they receive that it is a secondary thing to increase or reduce the age; but it would be desirable to increase the age for the purpose of obtaining mature people for the Civil Service, and in that case the fifty-five years' compulsory rule should be increased to sixty.

3987. Would you bring men out at a more mature age?—Quite so.

3988. Where would you hold the competitive examinntion? Would you hold two examinations, one in England and one in India?—Certainly.

3989. Should they be the same?—Exactly the same.

3990. Would you have one general list of candidates that passed at both examinations?—It may be a general list; any European that chooses to come to India and pass may be examined the same as Indians are in England.

3991. Would you make any apportionment of the appointments between the different Provinces amongst the successful candidates? Would you give a certain number of appointments to the North-West Provinces Service, to the Bengal Service, to the Madras Service, &c.?—I do not see the force of the question.

3992. Should there be an apportionment between the Provinces, between the Mahomedans, &c.?—Is this for the purpose of stopping people of one Presidency from going to another?

3993. Yes.—Then I think it is not right. If the proposal is to keep people back, I should not have it. Let ability have the preference. If the people of Bengal are foremost, let them have the appointments.

3994. If an examination took place in India, would you hold it at more places than one?—I think at one place.

Sir *Charles Turner*—contd.

3995. If held in India, would you require the successful candidates to go to England for training or would you encourage them to do so?—No, I would regard their ability; if they are able enough to compete with Europeans they need not go. But unless they go to Europe and receive education from Europeans, they would not be able to compete successfully, so that by making the condition that they should be equal to Europeans in every way I would compel them to go of their own accord, but not make it a compulsory rule. I would afford them facilities to go, but I would not make it a rule; it would not be a just rule.

3996. You advocate an examination in India?—In India.

3997. And my question is, as regards selected candidates who passed in India, would you require them to go to England or encourage them to do so?—I would not compel them, but for their own advantage it would be better to go. Should they be willing to go there, I would not place an obstacle in the way of their going.

3998. How would you encourage them to go?—I think it may be left to the Government to find the best way. I only give my opinion about the principle, the way may be left to those who have more time to weigh the question.

Mr. *Stokes.*

3999. Why would you have open competition for all India and not provincial competition? You say you would not have a competition for each province, but if a Bengali was better you would let him go to any part of India?—If the principle of excluding the Bengali is adopted, a European ought not to come to India. Europeans by passing an examination in England come to this country. We might say they need not come here. The same rule will apply here also.

4000. The Bengali you say, you would put in an appointment here because he passes an examination?—Yes, I said if he passes his examination. I said I understood that the reason that this question was being asked now was that those people who were backward desired that certain posts should be reserved for them, therefore they did not want the people of another province to come here; if this was the object of the question, I said I did not approve of it, because a man who passes an examination ought to go where there is necessity for him, let him be Mahomedan, Hindu, Christian, Eurasian, any body—that was my argument.

Mr. *Peacock.*

4001. You have described very feelingly the disadvantages and so forth of a journey to England, and yet you are willing to encounter these disadvantages yourself? These difficulties did not deter you from going?—But I felt them, and therefore I am in a better position to expose them.

4002. My object in asking the question was to elicit your opinion as to whether you think these difficulties so great as to deter Natives, irrespective of their caste, from going to England?—They are very great indeed.

4003. As a matter of fact a number of Natives do go to England?—Yes, but they go at great sacrifice.

The Hon'ble Mr. Justice *Mitter*.

4004. You say that Natives of this country are at a great disadvantage in the open competitive examination, and one of the disadvantages is that the language under which the examination is held is English, which is a foreign language?—Yes.

4005. You are aware that the present limit of age is nineteen?—Yes. The reason that I would bring forward as to age is that it is not a matter confined to one country, and it is desirable to raise the age in order to obtain men at a more mature age and to remove the difficulties of Indians. I would not claim to increase the age as of right, but I would put it on the ground of mitigating the difficulties under which Natives labor.

4006. That is one of the disadvantages under which Natives labor?—It is; there is no doubt of that.

The Hon'ble Mr. *Quinton*.

4007. Are you aware of the way in which appointments are made to the Uncovenanted Service in these Provinces?—No.

4008. By Uncovenanted Service I mean Deputy Collectors, Tahsildars, Subordinate Judges and Munsiffs?—I know that.

4009. Appointments for them are made by nomination. Would you continue that system of appointment?—No; I should recommend a system of pure competition, as far as practicable, for both the Executive and Judicial.

4010. Would you open this competition to all natural-born subjects of Her Majesty or would you confine it to Natives of India proper?—No, it should be open to any one.

4011. Should this competition for Tahsildarships and Munsiffships be provincial, or should it be open to all India?—I think it would be better to have it provincial, because people from one Presidency for such small pay would not like to travel to another, and therefore it would be impracticable to have it at one place. If done provincially it would be very good.

4012. You are a large landowner; you have large landed estates?—I have.

4013. Have you a manager of your estates?—At present I am managing them myself entirely.

4014. Would you choose your manager by competitive examination?—Well, yes, if I formed any fixed rule.

4015. I am comparing your action with that which you recommend for the Government. Government you say should get servants by competition. How do you get the best manager for your estate?—I always appoint those I consider ablest. I may be mistaken. My management is left to me. I strictly adhere to the principle, I am advocating here of competitive examination. I do not examine them, but I satisfy myself so that I exactly carry out that view.

The Hon'ble Mr. *Quinton*—contd.

4016. How do you satisfy yourself?—My first manager is a pleader; he has passed the examination, and knows English, Persian and other languages. The others next to him are inferior not only in education but in other things too.

Mr. *Ryland*.

4017. Seeing that you set so high a value on a visit to England and the advantages of travel, why would you not require it in candidates of the Uncovenanted Service before or after passing the examination?—Every body knows what is best for himself. It is not a part of the duty of Government to order them where to live or to send them to England. Why should people not know themselves whether it is necessary for them to go to England or not? I would facilitate their going, but I would not make it a strict rule.

4018. You think Government should defer to the wishes of the candidates?—Yes, and facilitate their going.

The Hon'ble Mr. *Quinton*.

4019. Do you think that any distinction should be made in the pay of an appointment accordingly as the post is held by a member of the Covenanted Civil Service or of the Statutory or Uncovenanted branches?—I think there is a distinction, and that distinction should remain, because Covenanted servants are considered superior to Uncovenanted servants and therefore there ought to be some difference in their pay and position.

Sir *Charles Turner*.

4020. Have you anything to add to the views you have been so good as to express to us?—I will write a *resume* as my answer, that may help you when you are taking the questions into consideration.

4021. If you desire it we can send you a proof of your evidence, and you may correct it, and anything further you send we will consider, but we cannot promise to put it in our proceedings.

WITNESS LIII.—*8th January, 1887.*

Examination of the Raja of KANTIT, Mirzapur, North-Western Provinces.

The Hon'ble Mr. *Quinton.*

4022. You are Raja of Kantit, in the North-West Provinces?—Yes.

4023. How long is it since you came into possession of your estates?—About three years. I shall complete twenty-four years of age in this January on the 15th. I am not an Honorary Magistrate, but I am a member of the District Board of Kantit.

4024. Are you acquainted with the way in which Statutory Civilians are appointed?—Yes, Government nominates by selection; also the Government has the option of resorting to competition.

4025. Statutory Civilians are not in these Provinces appointed by competition?—By selection, nominated by district officers.

4026. Do you think the mode of appointing Statutory Civilians satisfactory?—Yes.

4027. Do you think the service generally is regarded with satisfaction?—Yes.

4028. Would you make any alteration in it?—I would make no alteration.

4029. Now we come to the Covenanted Civil Service. You know the Covenanted Civil Service is recruited by competitive examination in England, and that all Her Majesty's subjects can enter for it. Would you make any alteration in the mode in which Covenanted Civilians are appointed in England?—I see no necessity for any alteration in the Covenanted Service.

4030. Have you heard any dissatisfaction expressed with the mode in which they are appointed?—Only on the ground that there is no selection; not on any other ground.

4031. Is it thought that the Native Chiefs of India should enter the Covenanted Civil Service?—I think it better that selection should be made from the Natives of India.

4032. That is what you think, that selections should be made in appointments of Natives of India?—Yes, for the Covenanted Service; first selection, then examination; competition amongst the selected candidates.

4033. Would you require Natives to go to England to compete at the examination there, or would you appoint all the Natives you would select in the manner you speak of for the Covenanted Civil Service?—I think the best manner is to have them examined in India.

4034. Then you would have two examinations?—If any Native wishes to go England, I would let him go. India is our country, and the examination should be here, India being the country concerned. As for British-born subjects it should be in England, but for Natives they should be examined in India.

4035. Would you allow all Natives of India to come up at the examination in India? Do you understand the question?—Yes, I think so; I would let all Natives enter.

4036. In what you said to me just now about nominated and selected candidates, did you refer to the Statutory Civil Service or to the Covenanted Civil Service?—To the Covenanted Civil Service.

The Hon'ble Mr. *Quinton*—contd.

4037. You know that under the Statutory Civil Service Rules at present candidates are nominated by Government to certain offices. Besides that there is the Covenanted Service which is entered by passing an examination in England. When you said candidates should be nominated, and selection made according to competitive examination, did you mean the Statutory or the Civil Service?—I meant it to apply to the Statutory Service.

4038. So that you would adopt that mode of appointing Statutory Civilians, and for Covenanted Civilians you would have an examination in India, and admit all the subjects of Her Majesty who might go in for it?—Yes.

4039. If you had an examination of that sort in India, would you compel the candidates who passed to go to England afterwards for two or three years?—Why for three years?

4040. For a certain time for training. Do you think that it would be right to send the Natives of India who passed the examination to England for two or three years?—I think there is no necessity. The examination should be completed here. There is no necessity to send them to England.

4041. Do you think there would be any objection on the part of Natives of India of many classes to go to England?—Some classes of Natives would go to England, some would not.

4042. On what ground would not some classes go?—On the ground of religion. They should not be compelled to go to England for examination.

4043. Have many men of your caste gone to England?—I am a Hindu, a Rajput; men of our caste do not go to England.

4044. Would you like your son to go to England if he was grown up?—No, I would not like it.

4045. In your district there are Tahsildars and Deputy Collectors. How would you appoint them, by nomination or by competitive examination?—Are they Covenanted or Uncovenanted?

4046. Uncovenanted?—It would be better that they should be examined.

4047. For a Deputy Collectorship?—Of course.

4048. How would you appoint them as Tahsildars in the first instance?—A Tahsildar should be appointed after passing an examination.

4049. What sort of examination, in what subjects?—In every kind of Revenue and Judicial work.

4050. Would that be a competitive examination?—Yes.

4051. Open to everybody?—Yes, according to law: those successful in the examination should be appointed to districts.

4052. Would you appoint a man first and

The Hon'ble Mr. *Quinton*—contd.

then examine him in the special subjects you mention?—I would appoint him Tahsildar first by competitive examination.

4053. You have Munsiffs in your district, have you?—Yes, one Munsiff.

4054. How should they be appointed?—Being on the Civil side they ought to be nominated by the Government. The Civil branch is specially connected with the Crown of Her Majesty and the High Court; therefore in the Civil branches they should be nominated.

4055. I do not know quite what you mean by being "specially connected with the Crown"?—Munsiffs and Subordinate Judges have to consider civil matters, and they ought not to be examined. They should be nominated, not appointed by competition; therefore my plan is to have them nominated.

4056. Would you nominate or examine a man only from your own province or from all provinces? Would you have your Munsiffs and Tahsildars appointed from your own province

The Hon'ble Mr. *Quinton*—contd.

or leave these appointments open to all India?—I think it would be better to confine the appointments to my own province.

4057. I will ask you a question I asked Raja Rampal Singh. You have large estates. Would you appoint a manager by competitive examination, or would you appoint him yourself?—They should be examined.

4058. Open to everybody?—Yes.

4059. I know as a matter of fact you have appointed a manager very lately. Did you appoint him by competitive examination?—He was nominated.

4060. You said you would appoint Tahsildars by a competitive examination. How would you appoint Deputy Collectors? Would you appoint them from Tahsildars or have another competitive examination for them?—Have another competitive examination.

4061. Have you studied the pay and furlough rules about the different services?—No.

WITNESS LIV.—*8th January 1887.*

Examination of Rai MADHO PERSHAD SINGH, Talukdar, Pertabgarh District, Oudh.

The Hon'ble Mr. Justice *Mitter.*

4062. You are a Talukdar of Oudh?—Yes.

4063. On what points do you wish to advise the Commission?—I wish to give my opinion both on the Statutory Service and the Uncovenanted Service.

4064. When did you come into possession of your estates? What is your age?—I have been in possession of my estates for twenty years. I am thirty-nine years of age. I am an Honorary Magistrate.

4065. As to the Statutory Service, is any dissatisfaction felt?—Dissatisfaction is felt with the Statutory Civil Service by the educated classes and persons who concern themselves with legislation and litigation. The educated classes are dissatisfied because they wish to have men of good educational qualifications for Statutory posts, and persons who go in for litigation are dissatisfied because their cases cannot be properly disposed of.

4066. Would you make any alteration in the present system, and if so what?—I would have an open examination for admission to the Statutory Service subject to certain conditions. Candidates should be of good birth, of good moral conduct, and their age should be under twenty-five years.

4067. After a man has passed the examination and is appointed, should he be sent to England or encouraged to go to England?—They should be encouraged, given the option to go.

4068. In what way would you give them encouragement?—I would simply give them the option to go: I would not encourage them specially.

4069. One of the causes of dissatisfaction you said was that fit men were not appointed. Have any of these men served in the Pertabargh District?—I have heard that.

4070. Of your own knowledge are you acquainted with any of these young men?—Yes, I know two of them.

4071. Do you think those two young men were inferior in any way, or were they about the same in qualifications and age as Deputy Collectors and Munsiffs generally?—They are of better qualifications. The Statutory men are superior to Deputy Collectors and Munsiffs.

4072. Would you have the competition open to all India or Provincial?—I would have provincial competition.

4073. Is there any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Dissatisfaction is felt on several grounds: first, that the limit of age is too low. I would raise it to twenty-two or twenty-three years. I would hold a simultaneous examination in India and England, and would have one list for the two examinations.

The Hon'ble Mr. Justice *Mitter*—contd.

4074. Would you hold it in more than one place in India?—Only in one place.

4075. Should there be an apportionment between the members of the religious sects?—I would have no apportionment.

4076. If the examination is held in India, would you require the successful candidates to go to England to complete their training?—No, I would not compel them to go to England. I would leave it to their option.

4077. In case they were compelled to go to England, would that deter any class of candidates from competing who might have fair hopes of success?—If it were made compulsory to go to England it would give some dissatisfaction at present to certain classes of people, but times are changing. The majority of Hindus would object to go to England, only some of them might go.

4078. What is your caste?—Khatri.

4079. Would Rajputs object very much, do you think?—At present they would not be willing to go to England, but after some time they might go.

4080. You are a neighbour of Raja Rampal Singh?—Yes.

Mr. *Stokes.*

4081. Are boys of your class taking to education?—Yes, they are.

4082. Since how long?—During the last seven or eight years.

4083. How would you appoint Tahsildars and Deputy Collectors, Extra Assistant Commissioners, Munsiffs and Subordinate Judges?—I would retain the existing system for appointment of both classes.

4084. Do you think those appointments should be open to all natural-born subjects of Her Majesty or should they be confined to Natives as defined in the Statute?—I would appoint only the Natives of India to these posts.

Mr. *Ryland.*

4085. Have you had any experience of Europeans in the Uncovenanted Service, such as Deputy Collectors and Extra Assistant Commissioners, European or Eurasian?—I do not know any.

The Hon'ble Mr. *Quinton.*

4086. Would you give the same pay to a member of the Covenanted Service, the Uncovenanted and Statutory Service according as they held the posts, or would you make any difference?—I would have the same pay for all.

Munshi *Mahomed Akbar Hussain*

WITNESS LV.—*8th January, 1887.*

Examination of MUNSHI MAHOMED AKBAR HUSSAIN, Zemindar, Allahabad.

The Hon'ble Mr. *Quinton.*

4087. Do you know how the Statutory Civil Service is recruited?—Yes.

4088. Is there any dissatisfaction felt with regard to it?—The people of all classes are dissatisfied with it, though on different grounds. The highly-educated classes are dissatisfied on one ground and the other classes on other grounds.

4089. Can you tell us the grounds of dissatisfaction?—The educated people are dissatisfied because they say these Statutory Civilians are supposed to be equal to Covenanted Civilians, but as a matter of fact they are not equal to them, neither have they the same social position or intercourse with Covenanted officers.

4090. Any other grounds?—The general public are dissatisfied because there is no test of their merit or ability. They are appointed without having it proved and through some influence.

4091. How would you alter the present system of appointment?—Under the present condition of India it is very necessary to have men of good social position and of high family, because it carries a great deal of influence; therefore I would nominate people from good families, subject to other qualifications as at present, and then have an examination among the nominees and appoint the best men.

4092. After they are appointed would you suggest they should be sent to England?—I do not think that it is necessary to send them to England under the Statutory system. If it was abolished that would be another thing.

4093. Would you abolish the Statutory system?—If the provisions of the Statute are properly carried out, I would retain the system for some time to come, until the men of this country are properly qualified to be able to succeed at the competition in England.

4094. Do you think the men in the North-West Provinces at present would have no chance of competing in England with success?—They have no chance.

4095. As regards the Covenanted Civil Service, is there any dissatisfaction with the way that is recruited?—The general ground of dissatisfaction against open competition is that it secures neither good social position nor high family, and the Natives of India believe that the old Civilians were far superior to the men that come out under the present system of competition.

4096. What changes would you advocate?—The examination simply is not a test of administrative qualifications.

4097. We are only dealing with the question so far as it affects English and Native candidates?—I would hold a simultaneous examination in India and in England.

4098. The same examination?—Yes, the same examination and the same papers.

4099. Would you have the successful candidates placed in one list?—I would have Provincial lists, because I think that India cannot properly be called one country as it is inhabited by people of different nationalities, who are different in their manners and customs Madrasis coming to this part of the country cannot be supposed to know much about it or the people here. I would have only one examination, but I would classify the list.

The Hon'ble Mr. *Quinton*—contd.

4100. Suppose no candidates from these Provinces obtained a place on the list which entitled him to appointment, but some candidates passed from some other Provinces, would you send candidates of other Provinces to these Provinces?—I would give the place to a European.

4101. The examination being in India, would you send the successful candidates to England to complete their training?—I have devoted a great deal of attention to the subject of young men going to England, but I am of opinion that there is not much use in sending them there. When they come back they are separated from their own people to a certain extent.

4102. Do you think that their influence is lessened with their own people and with the people of the country?—They lose all sympathy with their own people, and when they come back they look upon those who have not been to England as inferior, and we look upon them in the same light.

4103. With reference to posts for the Covenanted Service, do you think an apportionment should be made between the different religious sects in India?—Yes, a provincial apportionment and in proportion to the religious sects.

4104. As to Tahsildars, Deputy Collectors, Subordinate Judges and Munsiffs, do you say you are content with the present mode of appointment in these Provinces, or would you alter it to any extent?—I would make a slight change in the present practice so as to make the recruitment provincial. I would confined the appointments to the people of the Province.

4105. Have you had any experience or come in contact with Deputy Collectors in the Province?—Yes.

4106. Do they possess the confidence of the people?—No; so far as I know the people have no confidence in them, and their conduct does not entitle them to be appointed to any responsible posts.

Mr. *Nulkar.*

4107. You mean Europeans and Eurasians?—Eurasians or Native Christians; I do not know any European.

The *President.*

4108. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service or by members of the Statutory or Uncove-

The *President*—contd.

nanted branches?—Under the existing system I would have a difference of pay for Statutory and for Covenanted officers and also for the Uncovenanted officers when occupying the same post, but if the examination, the open competitive examination, be also held in India, then those that pass it should be paid the same as Covenanted officers who come out from England.

4109. Do you think that the men in the Statutory and Uncovenanted Service should have any difference in their furlough according as they happen to be Europeans or Natives of India?—I am not prepared to answer that.

Mr. *White.*

4110. You have drawn various distinctions in regard to family and other qualifications. Are you aware that the Act of Parliament recognizes no such distinction?—Whatever the Government may think, in my opinion, if these distinctions are not to be observed, the political effect will be very bad, and some day it will be found difficult to hold the country. The effect will be disastrous. To appoint men of all classes indiscriminately would have a very bad result, as has been proved up to this time; and so it is likely to be in future. When you employ men of different classes and different sects, then the terms of the Act of Parliament are carried out. You do not exclude Mahomedans. There are some Mahomedans, some Hindus and some others.

Mr. *White*—contd.

The *President.*

4111. Is there any other question upon which you would like to afford information?—The rules of Government on these points, as far as I understand them, are not properly applied.

WITNESS LVI.—*8th January, 1887.*

Pandit *Lukshmi Narayan Vyasa.*

Examination of Pandit LAKSHMI NARAYAN VYASA, President of the local Hindu Samaj.

The Hon'ble Mr. Justice *Mitter.*

4112. You have been elected to give evidence on behalf of this Samaj?—Yes, and also of the *Mut* Hindu Samaj.

4113. What is the object of your Samaj?—One of its objects is to represent the views of the people on various measures that are brought forward by Government.

4114. How many members are there?—About fifty. These members are of the Allahabad Samaj, but of the *Mut* Samaj there are over two hundred members. The local may be regarded as a branch of the *Mut* Hindu Samaj, but if considered locally it is a separate society.

4115 Where the answers that you are about to give agreed to at a meeting of the Samaj?—Not at a general meeting, but some of the principal members have discussed the matter on behalf of the Samaj.

4116. The principal members of the Samaj?—Some of them.

4117. How mamy?—Three or four persons.

4118. Now, about the Statutory Civil Service. Is the existing system of appointing Natives as Statutory Civilians to posts reservod for the Covenanted Civil Service approved?—We do not approve of it.

4119. Upon what grounds is the system not approved?—There are many defects. The first is that the object with which this was done is not carried out. The Statute declares it is expedient that additional facilities should be given for the employment of Natives of India of proved merit and ability in the Civil Service of Her Majesty in India. But this remains a mere declaration and has not been properly carried out.

4120. Then you mean that in actual appointments the test of ability and merit is not applied?—That is one defect, and by reason of this and other defects I would say that the service should be abolished.

4121. You, or rather those whom you represent, think the system should be abolished?—Yes.

4122. The Statute or the Rules?—The Statutory system.

4123. You know perhaps there are certain rules framed under the Statute. Is objection taken to the Statute or to the Rules?—To both, and, in case the Statutory Service is abolished, the proportion of officers assigned to that service should be allotted to members of the Uncovenanted Service of proved merit and ability, subject to their passing a competitive examination.

4124. What competitive examination?—For the public service. Our opinion is that one examination should be held in India, and also, as is now done, in England for the public Civil Service.

4125. The Covenanted Civil Service?—Yes. We say the Statutory Service should be abolished, but if the Statute is not altogether repealed, it should be retained only for the purpose I have stated. No person should become a Civilian who has not passed a competitive examination for the public Civil Service in India or in England.

The Hon'ble Mr. Justice *Mitter*—contd.

4126. You say that the Statutory Service should be abolished. Then the proportion of appointments which is now allotted to that service should be assigned to the Uncovenanted Service, but with this condition that only men of proved merit and ability in that service should get them, provided they pass in the Covenanted Civil Service examination, which you advocate should be held both in England and in India?—Yes, the examination for the public Civil Service should be held in India and in England. These posts allotted to the Statutory Service should be given as rewards to Uncovenanted officers, and such of the Uncovenanted officers as have proved their merit and ability and are recommended by their superior officers should be allowed to go and compete at the examination in India or in England and be then appointed to Statutory posts the same as to the Covenanted Civil Service.

Mr. *Ryland.*

4127. If you have proof of merit and ability by service in the Uncovenanted Service, why should you insist on a competitive examination?—We are not satisfied. An officer may say he is of proved merit and ability. We would examine him and compare his ability with that of the Covenanted Civilians.

The Hon'ble Mr. Justice *Mitter.*

4128. In fact, you want him to be equal to a Covenanted Civilian?—Yes, equal. When a man claims to hold posts equal to those held by the Covenanted Civil servants, he should pass an examination equal to that passed by the Covenanted Civilian.

4129. If no one of this class passes?—No appointment should be made. Those who fail should not become Civilians; they should not enter the service.

4130. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Yes, certainly.

4131. What are the grounds for this dissatisfaction?—One reason for dissatisfaction is that the age is too low. It is nineteen, I think. It should be raised to twenty-three for Englishmen and twenty-five for Natives. The Natives have some disadvantages. The English language is not their mother-tongue. They have to study it; some favor should be shown to them, and this should be done by raising the age to twenty-five in their case.

4132. Would you propose any other change?—I have already said that the examination should be held in both places, in England and in India, and at one centre. The subjects for examination should be the same, Sanskrit and Arabic ranking equally with Latin and Greek.

4133. Different marks are assigned now to

The Hon'ble Mr. Justice *Mitter*—contd.

Sanskrit, Latin and Greek. Eight hundred marks are assigned to Latin, six hundred to Greek. What marks would you assign to Sanscrit and Arabic, equal to which?—Sanskrit to Latin eight hundred and Arabic to Greek six hundred.

4134. What is your reason for giving Sanskrit more marks than Arabic?—It is more difficult.

4135. Do you know Arabic?—No, I do not know Arabic; still from what I have heard I conclude it is less difficult than Sanskrit.

4136. If you held two examinations, one in India and one in England, would you have one list showing the results, or would you prefer separate lists?—The examination papers in India should be sent to England and examined by the same examiners.

4137. Would you prepare one list only?—One list. The answers given of England and India should be considered together and examined by the same examiners.

4138. Would you compel the successful candidates in India to go to England to be trained, or would you encourage them to go?—I do not see the necessity when they have passed the examination. They should not go. There is no necessity, nor should they be compelled. Anybody that likes may go to England or to America.

4139. Would you recruit the Uncovenanted Service from Natives as defined in the Statute or from all natural-born subjects of Her Majesty, whether Natives or not?—It would be better that Natives should remain in those posts.

4140. Exclusively from Natives as defined in the Statute. You know there is a particular definition in the Statute 33 Victoria, Chapter 3?—I have not read that. I mean only persons born in India who are subjects of the British Crown.

4141. Any person not born in India?—A European is not so good an officer in these posts as a Native.

4242. You would not admit him?—If a Native cannot be got, a European may be appointed.

4243. That is, you will give preference to Natives; in the absence of Natives you will take Europeans?—Yes.

4144. How will you recruit Tahsildars? Do you know the system that obtains here?—I know a little. I have also been a Government servant for a few years and I have seen them.

4145. Would you recruit them by nomination or competition?—Competition.

4146. Open competition?—Yes, open competition, but among Natives of India.

4147. Would you not select certain persons having certain qualifications and then have competition?—No, open competition.

4148. As regards Deputy Collectors, how would you recruit them?—They are even now examined, that is departmentally.

4149. After they are nominated they are examined?—Open examination should be held for them also.

4150. Do you know how Munsiffs are recruited?—I do not know, but they should also be examined. All these officers should be well read and educated in English, and, if possible, graduates.

4151. All these officers? Do you include Tahsildars?—Tahsildars, Munsiffs and Deputy Collectors.

The Hon'ble Mr. Justice *Mitter*—contd.

4152. And then Subordinate Judges?—They only become so by promotion. There is no necessity for an examination in their case.

4153. You would not hold a competitive examination for Subordinate Judgeships?—No.

4154. You would promote from the Munsiff rank?—Yes, from the Munsiffs; there is the same examination for both: it is only promotion.

4155. In this competitive examination which you advocate, would you admit Natives of other Provinces or would you restrict the competition solely to Natives of these Provinces?—For Tahsildars I would say that it would be better that persons of these Provinces should be appointed.

4156 In the case of Tahsildars you would have only Provincial competition?—Yes.

4157. And in the case of Munsiffs?—For Munsiffs, Deputy Collectors and Subordinate Judges, persons of other Presidencies may also be taken if they are fit for it, and can pass the examination and know the language of the country. Some have said the Bengalis are unpopular in these Provinces. I know from my experience it is not so, at least with the Hindus of these Provinces.

4158. If you have anything else to say, if you have discussed any other question and have any advice to give us on any other point, as representing the Sabha, we shall be glad to receive it?—The same salary should be given to persons holding the same post. Suppose a Native has become a Magistrate, he should receive the same salary as an English Magistrate does, and, as to furlough even, the Native should also receive furlough.

4159. The same amount of furlough?—The same furlough should be allowed to Natives, that they may go to England if they like and then become, say, Civil Judges.

4160. Have you anything further to suggest?—No, I don't think so.

Mr. *Stokes.*

4161. Is the Secretary of the Sabha a Bengali?—No.

Mr. *Ryland.*

4162. You would give the same furlough to Natives to enable them to go to England?—Yes.

4163. Are there prejudices against going to England or not?—There are prejudices: that is one of the reasons why the examination should be held in India. Another reason is that we require money. Unless we have Rs. 1,000 or Rs. 2,000 we cannot go there, and the expenses in that country are also great. When we are all subjects of the same Sovereign, why should not the examination be held in India.

4164. Is there any other question you wish to speak about?—No.

Sir *Charles Turner.*

4165. Where were you educated?—I was educated in the Benares College in the year 1846-47. Before that I was brought up in a seminary in Allahabad. I was a scholar in the senior department of the Benares College. I was afterwards a Government servant, and was for two years Deputy Inspector of Government schools.

WITNESS LVII—*8th January, 1887.*

M. Saunders, Esq.

Examination of M. SAUNDERS, Esq., Vakil of the High Court, North-Western Provinces.

Sir *Charles Turner.*

4166. Are you a Pleader of the High Court of these Provinces? I am: we call ourselves Vakils.

4167. When did you obtain your Sanad to plead?—In 1863.

4168. And before that time had you been long resident in India?—Seven or eight years.

4169. Do you know whether the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service is approved?—So far as I have been able to ascertain (the Statutory Civil Service has not been in operation many years), the Natives of India do not approve of the Statutory Service.

4170. What grounds of disapproval are expressed?—First of all, that they are admitted without as strict an examination as that which entitles a Civil servant to become an officer in India, and another thing is that they are nominated. I think the original scheme was that only sons of Rajas and high families should be appointed.

4171. Under the original rules?—Yes, that was the intention, I think, when the whole thing was brought forward. There was great complaint in the High Court, I know, among certain members who took up Indian questions, and they said the exclusion of the higher classes was a great injustice to India; and they thought some scheme should be adopted by which the sons of Chiefs and Rajas should be admitted. I don't consider that the scheme is at all workable myself, and I consider it would be far better to have a House of Lords in India and to let these Chiefs in.

4172. Do you know that the rules have been modified and that high families are less regarded?—I do not.

4173. The original rules of Lord Lytton's Government?—A new class of men are now appointed so far as I can understand, that is, men not like two or three of those who assisted us in time of the Mutiny.

4174. Men of less influential families?—Yes, less influential.

4175. Has that been a subject of disapprobation?—I cannot speak from personal knowledge, but I consider that we have the leading Nawabs and Rajas in these Provinces, and scarcely one will come to the front in any public matter. They do not seem to know their rights.

4176. Would you retain the Statute, which empowers the Government to appoint persons of proved merit and ability to posts now reserved for the Covenanted Civil Service? Would you alter that Statute?—Two services are quite sufficient for India. The Statutory Service is an anomaly. It is neither one thing nor the other thing.

4177. Is that the ground on which you object to it?—Because the men originally intended to be appointed Statutory servants are not appointed, men who would assist us in time of trouble,

Sir *Charles Turner*—contd.

sons of the highest Chiefs: these are the men who were intended to come into the Statutory Service, whereas we have picked up pretty Rajas made by ourselves.

4178. Do you think it desirable the Government should have the power of promoting men of proved merit and ability in the Uncovenanted Service to posts held by Covenanted Civilians?—I think certainly that Uncovenanted Service men of proved ability should be advanced to the highest posts.

4179. Would you retain the Statute for that purpose?—If it could be administered or worked, so that deserving Uncovenanted Service men would be advanced to the highest posts, of course.

4180. Up to this time, as you say, no Uncovenanted servant of that class has been appointed?—Not to my knowledge. I think Mr. Kellner was one.

4181. If the Statute is retained, would you amend the definition of the term "Natives of India" in the Statute, so as to make it include other persons than those now included in it? Do you know what the present terms are?—Yes, it is utterly useless having a Statute unless it is carried out, but as far as these Provinces go, and I believe some other Provinces, the Statute has not been carried out: there has been an exclusion.

4182. Would you amend the definition of the term "Native"?—No, I think the Statute is good enough if it is carried out in its integrity. But it is not.

4183. If the Statutory Service is retained, would you compel or encourage selected candidates to proceed to England for training?—That assumes that it is impossible to give an appointment unless it is to a man who has entered the service as a young man. I consider that the appointments should not be exclusively held by persons who have entered the service at the age of eighteen, nineteen, or say twenty.

4184. Would you encourage it if the Statute were retained?—Most certainly. I think the knowledge required by a residence in England absolutely indispensable to men in authority in this country.

4185. Would you make it compulsory or optional?—It is impossible to make it compulsory, it must be made optional.

4186. Is any dissatisfaction felt with the system of recruitment for the Covenanted Civil Service by competition in England?—If I am tied down to the exact words of that question, I should say that it is impossible to say that the recruitment for the Covenanted Civil Service is anything but what it should be. But if I may go into the much longer question, that is, our hold upon the country, it is a bubble that may burst any day, because the people appointed are not settled on the soil.

4187. Would you have any alteration in the present competitive system in England so far as it regards Natives of this country?—I think

Sir *Charles Turner*—contd.

there should be an examination in this country also, most certainly. It is like a Government of foreigners at present without the slightest hold. The more influence and power they wield the less interest they have in the country, as they go away two or three years after they have taken up their high positions.

4188. How would you alter the present system of examination so as to assist the Natives of this country in passing? You say first by having an examination in India. Would you alter it in any other respect? Would you alter the limit of age, that is, would you raise it?—That depends a good deal upon the appointments to be given to those who pass this examination. In certain appointments it is absolutely indispensable that certain persons should be brought up in the country in their youth, so that they may gradually mount the ladder of promotions and get power; but for many important positions in this country there is no necessity that a person should enter it at a young age.

4189. But I am now speaking of appointments ordinarily reserved for the Covenanted Civil Service. Would you alter the age for competition? The age is now nineteen?—I think, as a rule, those that come out here are very young. They must have undergone a system of cramming that I think is most injurious.

4190. We are now speaking only of Native candidates?—I do not think there should be one rule for Natives and one rule for Europeans.

4191. Supposing you had a rule for both, would you raise the limit of age so as to give a Native an opportunity of appearing later at the examination as well as Europeans?—I would alter the limit of age.

4192. Would you alter the subjects of the examination?—No, I would keep them as much as possible on the same level as at present.

4193. If you have an examination in India, would you allow the Natives to compete in England?—I would allow the Native to compete in England and the European to compete in India: make it as catholic as possible. I would have the same standard.

4194. Would you make the two examinations part of one examination, the examination at the two centres part of one examination, or would you make them separate examinations? There are, say, twenty appointments to be filled; would you take the numbers obtained at both examinations, put them in the one list, and then give them to the twenty highest candidates?—Yes, I would.

4195. You would regard the examination at the two centres as one examination, and with the same examiners?—Yes, as far as possible.

4196. As to members who were successful in India, would you require them to proceed to England to complete their education?—I would encourage them to go as far as possible, but I would try to exclude impecunious Natives.

4197. Would you render Natives any assistance to enable them to compete for the Civil Service in England?—No, I would not. I do not think that is a matter of Government administration.

4198. As to the Uncovenanted Service, would you recruit the Uncovenanted Service only from Natives of India as described in the Statute 33 Vic., Chap. 33, or would you do so from all the

Sir *Charles Turner*—contd.

natural-born subjects of Her Majesty. What I mean by natural-born subjects is a person born in, say, Australia?—I should limit the service to persons having a domicile in India; I would have it according to the Statute. For instance, I, myself born in India, am as pure a European as anybody else, but being born in India I am under the Statute. I should say all Europeans domiciled in the country. Natives and Europeans should all be on the same footing.

4199. Would you recruit for that service by nomination, by competition, or by both?—Certainly by both. I think heads of departments should select a certain number of persons of good moral character. A man may be a Mahomedan, Hindu or Christian, but I should regard it as a *sine qua non* that he should believe in a state of reward and punishment hereafter. That is what we as lawyers consider necessary to make a man's evidence receivable in Court, that is, that he believes in a future state of punishment. If we have that security that a man is of good moral character and some guarantee for his good conduct, he should be selected.

4200. Do you know anything about Tahsildars?—I certainly do.

4201. Have you any landed property?—No.

4202. Are you connected with families holding land?—No; only in England. My relations have been farmers in Berkshire for a hundred years.

4203. Do you know anything about the agricultural classes?—As a lawyer I am supposed to know all these things.

4204. Do you go to the Mufasal Courts?—Sometimes I go to Mufasal Courts. I would have nomination first and competition afterwards. Nomination is wrong, it leads to sycophancy, favoritism and all kinds of uncharitableness.

4205. How would you appoint your Deputy Collectors?—As much as possible by competition.

4206. Would you reserve a certain number of appointments for promotion from Tahsildars?—Certainly. There are some Tahsildars who make excellent Deputy Collectors, but very few of them are trustworthy enough to have charge of a treasury in this country. There is not a single Zilla in the North-West in which there has not been defalcation. Those matters are all hushed up. Now there are only three East Indians who have treasury charges. There is only one young East Indian who got in after great difficulty.

4207. The majority you would select by competition?—I think the heads of departments, the Commissioner and Lieutenant-Governor should select certain men, and there should be competition after selection; that is the safest way.

4208. Would you retain the existing system of appointing Munsiffs?—I think the present system is a gross injustice to the Eurasian and Anglo-Indian classes. They have been deprived of the rule by which Anglo-Indians domiciled in the country should have the same advantages as any one else—in fact, the Natives themselves consider there has been a gross breach of the Statute and rules on this point.

4209. Do you think that the system which at present obtains is a good system, nomination from pleaders and from experienced officers of the Courts?—I do not think so.

Sir *Charles Turner*—contd.

4210. What would you have, a competition system?—I think a man who has passed a certain examination, say, in the High Court, is qualified to be a Judge. It is often better to appoint such a man direct than to appoint a very inferior man as Munsiff and in the course of twenty years appoint him Subordinate Judge. I do not think a young man should ever be a Judge. Young men, Chuprasis' sons who have attended the Muir College with scholarships of Rs. 5 a month, are appointed Munsiffs.

4211. Then you consider there should be actual practice as well as the possession of qualifications to make a man eligible for appointment as a Munsiff?—Undoubtedly. It is perfectly impossible to be a good Judge without practice as an Advocate in Court. Of course, I have my views about pleaders. It is monstrous in this country to have grades of pleaders. Once a lawyer always a lawyer. Once a Judge always a Judge. If a man has not passed the best examination, he is not fit to be appointed.

4212. Were not grades in pleaderships introduced into these Provinces by reason of the very unequal degree of education possessed by different classes of the community?—I do not know the reason, but if you look to the Act that appointed Munsiffs first, you will find that Munsiffs were to be appointed from the best, highest and most creditable Natives to be found in the Zilla. Now we have caprices, since all sorts of riff-raff are appointed as Munsiffs.

4213. As regards Subordinate Judges, I understand you to say you would appoint to the office of Subordinate Judge from the Bar?—Most certainly.

4214. And by promotion from Munsiffs?—In extreme cases, but I do not think as a rule that Munsiffs should be appointed. I object to the whole system of creating posts; it keeps one in a constant state of suspense; they are always trying to write clever judgments, and these things are repugnant to the administration of justice.

4215. Would you appoint any Munsiffs by competition?—I think the Pleaders' examination quite sufficient. The intention shortly hereafter is to admit none but those who have passed the University Examination.

4216. You mean the B. L. degree examination?—I believe that is the intention.

Mr. *Ryland.*

4217. Do you know of any instances in which Anglo-Indians or Eurasians have been excluded from service by means of the rules in operation?—I know of a number of instances. If you look through the whole list of Munsiffs you will find nothing but Hindus and Mahomedans. To talk about Eurasians being wanting in ability or any of the qualifications for a good Munsiff is nonsense. They have been utterly excluded and by a violation of the Statute and charter. It has been discouraging, and I believe there is a very bad feeling indeed among the Eurasian classes. I believe if there is any disturbance in this country they will make themselves felt, especially in this part of the country. I contend they have been most cruelly trampled on, and so far the Natives themselves are in sympathy with them. It is a violation of Her Majesty's Proclamation. You keep men out here who have peculiar whims.

Mr. *Stokes.*

4218. How many sweepers' sons have you known to be appointed in these Provinces?—Of course when I am speaking in that fashion.

4219. You do not mean sweepers?—I know they are admitted to the colleges.

4220. I am speaking of Munsiffs?—There is a Chuprasi employed in the post office.

4221. He is not a sweeper?—No, his son attends the Muir College, and he expects to get his son in as a Munsiff. I speak generally. I said it was a monstrous thing to see Chuprasis' sons advanced to these posts and by education at Rs. 5 a month at Muir College. We Europeans have to pay Rs. 30 or Rs. 40 a month to educate our sons to M.A. With reference to that question I have only to say I did use a figure of speech.

Mr. *Peacock.*

4222. When you spoke of Chuprasis' sons you spoke rather of men of low social position?—Yes, not belonging to any profession.

4223. Do you not think to promote Subordinate Judges from members of the Bar would have a prejudicial effect on the lower grade of Munsiffs?—No, and for this reason, that the pay given to the class of men who have been appointed Munsiffs is handsome pay. It is such that if a man was appointed direct from a pleader to the Subordinate Judgeship not a single Munsiff would complain with reason. We have only twenty practising Vakils in the High Court, and there is only one who has applied for a Munsiffship. There was a very needy Barrister that came out, and he was appointed a Munsiff.

4224. What does the present list of Munsiffs consist of?—Men who translate documents in the High Court, decree-writers, Misal-khwans who are pushed into Munsiffs' posts without any examination, rising from Rs. 100 at first to Rs. 200.

4225. Then would you appoint Munsiffs from District Court Vakils?—Some District Court Vakils have been appointed.

4226. You would advocate appointments from District Court Vakils, I suppose?—That enters into the question of grading. Either the lawyers are fit or unfit.

4227. Supposing this graded system continues, from what grade of Vakils would you appoint Munsiffs?—From the High Court grade it is a degradation to take a Munsiffship.

4228. What fees does a High Court pleader make a month?—Some at least Rs. 1,000, others less. There are too many of them.

4229. But a man with fair ability of three years' standing, what would he expect to make per month?—There are so many things to be considered. Some men have friends in the Judges. We have a young Barrister in the High Court who has a friend a Subordinate Judge, and he has, strange to say, a large number of cases. I cannot say that ability has a fair field in this place. There are very many able men, and they are put aside for inferior men. For instance, there was a man who was asked to be Government Pleader of Cawnpore, he refused the appointment.

4230. Are there a sufficient number of good men in the District Court from whom you could choose your Munsiffs?—I think after they have been five or ten years in practice it is better to select these men than a man who has been

Mr. *Peacock*—contd.

obliging and friendly to some one in power. I may say I have been a candidate myself for a Subordinate Judgeship; for what reason I do not know, but I have been refused.

Sir *Charles Turner.*

4231. Have you a list of the Pleaders of the North-West Provinces?—The Civil List is not a proper guide. There is a list of about 150 Pleaders; at least 50, I should say, are dead, the others are nowhere.

4232. Are you correct in saying that the majority of the Munsiffs were not Pleaders before they were appointed?—I think I am correct in saying they had not practised.

4233. They were not practising Pleaders, the majority?—Not practising. The Pleaders' examination is passed nowadays for the purpose of getting a Munsiffship without practice.

4234. Have many of these persons taken degrees as B.A.?—A good many of them.

4235. Several of them have taken the M.A. degree?—Yes, some of them.

4236. And some of them the degree of B.L.?—I think you will not find more than eight or ten out of the ninety.

Mr. *Stokes.*

4237. Was there any grading in 1863 when you got your Sanad?—There has been grading all along.

Sir *Charles Turner.*

4238. You obtained your Sanad in 1863 from the Sadar Court before the institution of the High Court?—The High Court had just been established, I took my Sanad from Calcutta.

4239. Did you undergo an examination?—Yes, I passed my examination as a Solicitor, and from that I was put in as Pleader, and became entitled to apply for a Subordinate Judgeship.

4240. Have you anything to say about official pay in India?—Do you think the same salary should be paid to officers in the Statutory or Uncovenanted Service holding posts reserved for the Civil Service, as to officers of the latter service?—No, I would have two services, sufficient pay for the Uncovenanted Service and higher pay for the Covenanted. I maintain that ten years hence we ought to be able to supply Government with servants.

4241. You propose that we should endeavour as much as possible to induce Europeans to settle in India?—That is the way to make British rule permanent.

4242. You consider that the objects at which you aim are to obtain Civilians who are likely to be permanently attached to the country?—That is so.

4243. Do you find that the educated Natives of this country exhibit as warm a sympathy with the lower classes of Natives as the Covenanted Civilians of the present day?—No, all Natives are not friendly towards the lower classes.

4244. Do you think the present class of Civilians feel more sympathy for the poorer classes than educated Natives do?—Most certainly.

4245. Do you think the lower classes regard European officials with more confidence than Native officials?—As a rule Natives of all classes have an affection for Europeans.

Sir *Charles Turner*—contd.

4246. Not affection?—Yes, I may say an affection for the European Civil servant; a man of character that comes out to this country, the Natives of India look upon with the greatest respect and veneration, that is the rule; but not until he has been some time in the country. I think it is a very great mistake they should come out so young, unless they are excluded from Judicial and Magisterial appointments.

4247. Do you know whether there is any objection in these Provinces to have Bengalis?—They are far in advance of the people of this Province, and we think it unfair to be swamped by the smartness and intelligence of Bengal.

4248. Is it not necessary to have the best qualified officers?—Yes.

4249. Until the North-West men are qualified equally with the Bengalis, is it not better to appoint the best man?—Yes, and if the local people are not fit then the Bengalis might have the appointments.

4250. Do you consider that in a short time the people of these Provinces will be able to hold their own?—I was one of the examiners at the last Pleaders' examination. The candidates came from different districts, and only five papers have been written in English for the grades of Revenue officers, Agents and Mukhtiars. As an answer to that I was told they preferred to write in their own languages.

Mr. *Ryland.*

4251. Have you practised in Courts presided over by a domiciled European officer?—I have seen a great number of people practising before one in Lucknow. He was a European, I believe born in the country, a domiciled European.

4252. Do you think he commanded respect and confidence?—Undoubtedly.

Sir *Charles Turner.*

4253. Mr. Alone?—He was Small Cause Court Judge at Agra.

4254. Was Mr. Alone of pure European blood or an Eurasian?—I should say a European, born in the country.

4255. Did he discharge the duties of his office satisfactorily?—Most assuredly he did. I have seen many of his judgments, and admirable judgments they were. I can mention another. Mr. Wallaston, who was at one time Translator to Government. His judgments have gone to the Privy Council and been upheld. He was an extremely able man.

4256. Did you know Mr. Berkley of Agra?—He is dead: he was a Small Cause Court Judge at Agra.

4257. Did he give satisfaction?—Entirely so.

4258. The appointment of Small Cause Judge at Agra is considered a superior appointment, is it not? Does it not carry higher pay than a Subordinate Judgeship?—No, it carries the same pay, Rs. 800.

Mr. *White.*

4259. There was another gentleman you mentioned?—Mr. Shircore. He was made Judge of the Small Cause Court at Agra.

Mr. *Stokes.*

4260. At the present moment there is no European or Eurasian Uncovenanted officer in the Courts ?—No, only Mr. Joshua Clarke.

4261. And the Europeans and Eurasians resent this exclusion ?—Yes.

Mr. *Stokes*—contd.

4262. Have you anything to add ?—Only this, that I think this Commission will do a great deal of good in bringing certain matters to light which otherwise would have remained in the dark. That is all.

PROCEEDINGS

OF THE

PUBLIC SERVICE COMMISSION:

VOL. II.—PROCEEDINGS RELATING TO THE NORTH-WESTERN PROVINCES & OUDH.

SECTION III, SUB-SECTION A.—Replies of Societies and Associations.
" " B.—Replies of persons summoned or invited but who were unable to attend the sittings of the Commission.
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II.—The MUBAHISA AMAR MULK ASSOCIATION of Bareilly.
III.—The RUFAI-I-AM ASSOCIATION of Lucknow.

PROCEEDINGS

OF THE

PUBLIC SERVICE COMMISSION.

VOLUME II.—SECTION III.—SUB-SECTION A.

NORTH-WESTERN PROVINCES AND OUDH.

No. I.

THE BHARAT VARSHIYA NATIONAL ASSOCIATION OF ALIGARH.

I.—Statutory Civil Service.

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N.-W. P. & Oudh.

Bharat Varshiya National Association of Aligarh.

1. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—No.

2. If it is not, what are the grounds of disapprobation?—The grounds on which we disapprove of the existing system are: *first*, that the system of selection by nomination does not secure the best and most efficient men; *second*, that the selection of inefficient men not only does harm to the service but brings discredit on the abilities and qualifications of Natives to hold such appointments; *third*, that the members of the Statutory Civil Service do not, either in the opinion of the Government or in that of their own countrymen, obtain the high status of the members of the Covenanted Civil Service, but are considered as a class of public servants of similar status as the members of the Uncovenanted Service.

3. Are the defects of the existing system (if any) susceptible of remedy (*a*) by an amendment of the rules; (*b*) by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed?—We do not consider any amendment of the Statutory provisions necessary; but we think that the rules framed under them should be amended. If the Statutory Civil Service be retained, we are of opinion that selections should be made by competition and not by nomination. We think, however, that the rules ought to be so amended that only members of the Uncovenanted Civil Service and of the professional classes, such as Native Barristers and Native Pleaders of proved merit and conspicuous ability, should get these appointments.

4. If the provisions of the Statute 33 Vic., Section 6, are not repealed nor substantially amended so as to take away the power conferred on the Local Administrations, should they be amended in respect of the description of persons on whose behalf such powers may be exercised or in respect of the sanction required for appointments made thereunder?—We are of opinion that no change is necessary in the definition of the words "Natives of India" as given in Section 6 of the Statute. The definition is wide enough, and should not be widened. We do not object to the provision about sanction.

5. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—We are of opinion that the selected candidates should not be *required* but should be *encouraged* to proceed to England.

II.—Covenanted Civil Service.

6. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Yes; dissatisfaction is felt on the ground that very young men are recruited for the service.

7. Should any, and, if any, what change be made in that system?—The change we propose is that the age limit be raised, and comparatively older men be recruited for the service.

8. Do Natives of India labour under any, and, if any, what disadvantages in competing for employment in this branch of the service?—Yes; Natives of India do labour under many disadvantages. The chief of them are: *first*, the holding of the examination in London only; *second*, the limit of age being nineteen years; *third*, the comparatively low marks assigned to the Indian classical languages, Sanskrit and Arabic, in the open competitive examination; *fourth*, the non-recognition of the Indian classical language, Persian, in that examination; *fifth*, the non-recognition of Indian history and of any of the Indian vernacular languages in that examination.

9. By what changes may those disadvantages be minimised or removed, *e.g.*, (*a*) by the establishment of scholarships and allowance of passage-money to Native candidates; (*b*) by altering the

limit of age; (*c*) by adding to the subjects of examination, or by altering the maximum marks obtainable in certain subjects; (*d*) by holding simultaneously examinations in England and in India?—The changes we propose are: *first*, that the open competitive examination be held simultaneously at two centres, *viz.*, one in England and another in India; *second*, that the limit of age be raised from nineteen to at least twenty-one years; *third*, that the same marks be assigned to Sanskrit and Arabic as are assigned to Latin, or at least to Greek; *fourth*, that Persian be added to the subjects of examination, and similar marks be assigned to it as to the other classics; *fifth*, that Indian history and Indian vernaculars be added to the subjects of examination with suitable marks; *sixth*, that, should the examination be not held in India, scholarships and passage money should be given to a select number of Indian candidates proceeding to England to study and compete for the Civil Service examination. These scholarships may be distributed among the several Governments, and candidates should be selected by competition.

10. If an examination is held in India, (1) should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one another and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be an apportionment between the residents in the territories of the several Administrations respectively or between the members of the principal religious sects?—(1) If an examination is held in India, it should, in our opinion, be identical with that held in England. (2) It should be held only at one centre in India, and the candidates in England and in India should compete with one another and be selected in order of merit. We are against the apportionment of the appointments. (3) and (4) Need no answer for reasons given above.

11. If an examination is held in India, should the successful candidates be required, as a condition obligatory, to proceed to England to complete their training?—Yes; it should be a condition obligatory on the successful candidates to proceed to England to complete their training.

12. Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—Yes.

III.—Uncovenanted Service.

13. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Cap. 3, Section 6, or from all natural-born subjects of Her Majesty?—We are of opinion that the Uncovenanted Service should be recruited only from Natives of India as described in Statute 33 Vic., Cap. 3, Section 6.

14. Should the recruitment be by competition, or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—This is a very broad question. Different systems are pursued in different provinces and in different departments for filling up vacancies in the Uncovenanted Service. We think it improper and detrimental to the interests of the service that posts in the Subordinate Judicial Service and Subordinate Executive Service should be recruited from the *Amla* class or on mere recommendation and nomination. In our opinion all departments of this service should be recruited by men selected by competition. Each department requires special qualifications, so each should be recruited by separate competition. Different provinces enjoy different educational advantages, and require different qualifications in the candidates, so there should be separate competitive examinations in the different provinces for filling up the vacancies. The competitive system should, therefore, be varied with the class of offices and according to provincial requirements.

Several departments, for instance the Opium and Customs Departments, are not fully open to the Natives of the country, although they are well qualified to do the work of such departments. We think this to be unjust. These departments should, in our opinion, be fully open to the Natives of the country, and should be recruited by competition.

15. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations respectively, or with a preference for such residents?—The recruitment should, in our opinion, be made, as far as practicable, from persons actually residing or domiciled in the territories under each Administration.

16. If the existing Statutory Service is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—Answered above (*vide* answer to question 3).

IV.—Pay and Furlough Rules.

17. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service according as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted branches? If such distinction should be made, on what principle should it be regulated? Should any distinction be made in the furlough rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or on any other, and what, ground? Are the privileges in regard to pay, promotion and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service suitable to Natives obtaining office under the Statutory rules?—In our opinion there should be no distinction whatever as regards salaries attached to the posts for the Covenanted Civil Service, either on the ground of nationality or on the ground that the posts are held by members of that service or

of any other service. Any such distinction will not only create great heartburning but also materially lower, in the estimation of the public, such persons as would hold such posts on lower salaries. This will be detrimental to the interests of the service. At the same time we think that the scale of salaries given to the Covenanted Civil Service is very high. On a much lower scale of salaries equally efficient men are found for the Colonial Civil Service, for instance the Civil Service of Ceylon. With reference to the finances of the country we think that the scale of salaries given to the Covenanted Civil Service may be lowered for all persons holding posts in that service; but under no circumstances should any distinction be made between different classes of people holding such posts. For the same reasons we also think that no distinction should be made in the privileges as to promotion and retiring annuity, and the general conditions of office; but we have no objection to reasonable distinctions being made in the furlough rules according to the nationality of the officer.

No. II.

The Mubahisa Amar Mulk Association of Bareilly.

I.—Statutory Civil Service.

1. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—Certainly not.

2. If it is not, what are the grounds of disapprobation?—(*a*) It excludes the really good and qualified men available in India; (*b*) it enlists only such men as can secure recommendations, not on the strength of their intrinsic merits requisite for the service, but on the score of social position and influence; (*c*) it does not satisfy the aspirations and ambitions of the educated class; (*d*) the pay and position assigned to the service are inferior.

3. Are the defects of the existing system (if any) susceptible of remedy (*a*) by an amendment of the rules; (*b*) by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed? If the provisions of the Statute 33 Vic., Section 6, are not repealed nor substantially amended so as to take away the power conferred on the Local Administrations, should they be amended in respect of the description of persons on whose behalf such power may be exercised or in respect of the sanction required for appointments made thereunder?—The rules must be amended. The Statutory provisions scarcely require any amendment in this respect. The powers thus conferred may be exercised with advantage in nominating Uncovenanted Servants of proved merit and ability to appointments now exclusively held by the Covenanted Service. These powers may also be exercised by nominating able members of the Bar to the judicial posts. The Judicial Service in these provinces is not on a par with that in other provinces. A better class of men can be had if the powers conferred by the Statute are properly exercised.

4. If the Statutory Service is retained, should the selected candidates be required to proceed to England for training, or should they be encouraged to do so?—It is superfluous to retain this service. It should be abolished altogether; but, if it still be found necessary to retain it, the number of nominations must be a very limited one, usually in the proportion of one to every ten Covenanted Civilians. The selected candidates should not be compelled to proceed to England, but should be encouraged to do so. The encouragement may be given (*a*) by granting them a position equal to the Covenanted Service in all respects, excepting furlough rules; (*b*) by paying their passage to and from England, and giving them a subsistance allowance during their stay in England.

II.—Covenanted Civil Service.

5. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service?—Much dissatisfaction is felt with the existing system of recruitment.

6. Should any, and, if any, what change be made in that system?—Equal facilities should be given to the Indian and English candidates for entering into the service.

7. Do Natives of India labour under any, and, if any, what disadvantages in competing for employment in this branch of the service?—The disadvantages under which the Indians labour are as follows: (*a*) The present age limit; (*b*) the low marks allotted to the subjects generally taken up by the Indian candidates; (*c*) the absolute necessity for proceeding to England; (*d*) the absolute exclusion from the subjects of examination of any of the current Indian languages.

8. By what changes may those disadvantages be minimised or removed: (*a*) by the establishment of scholarships and allowance of passage-money to Native candidates; (*b*) by altering the limits of age; (*c*) by adding to the subjects of examination or by altering the maxima marks obtainable in certain subjects; (*d*) by holding simultaneously examinations in England and in India?—These disadvantages may be removed (*a*) by holding simultaneous identical examinations in England and in India; (*b*) by altering the maximum age limit from nineteen to twenty-three; (*c*) by adding to the subjects such of the Indian languages as are used in Indian Courts, and the History of India; (*d*) by raising the maxima marks for Sanskrit and Arabic to those assigned for Latin and Greek.

9. If an examination is held in India, (1) should it be identical with that held in England? (2) Should it be held at one or more centres in India? Should the candidates in England and in India compete with one other and be selected in order of merit, or should a certain number of appointments be apportioned for competition to the candidates at the respective examinations? (3) If such an apportionment is made, on what principle is it to be regulated? (4) Should there be an apportionment between the residents in the territories of the several Administrations respectively or between the members of the principal religious sects?—(1) The examination in India must be identical with that held in England. (2) At one centre only in India. It would be bare justice if the candidates be selected in order of merit. But such a course may be likely to admit a larger number of Natives into the service than the Government may think advisable on political or other grounds to allow. In that case it would be necessary to apportion a certain number of appointments to the Native candidates. (3) and (4) Such appointments in each Local Administration must be regulated by the order of merit of successful Natives from that very Administration. When, however, a sufficient

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number of candidates does not pass from a province, the vacancies should be filled from the successful Natives of the neighbouring territories. The proportion in which appointments are to be divided between the Native and English candidates must depend on the retention or abolition of the Statutory Service. Should this latter service be retained, the proportion may be one to three or one-third; if abolished, it should he one-half.

10. If an examination is held in India, should the suceessful candidates be required, as a condition obligatory, to proceed to England to complete their training? Are the young Natives obtained under the existing system of the open competition in England the best as regards character and capacity who could be obtained under any system?—It should not be made obligatory but be encouraged. This encouragement may be given (*a*) by allowing pay equal to that of English candidates; (*b*) by paying passage and subsistence allowance. The best available young Natives are not obtained under the existing system. In the first place, pecuniary difficulties stand in their way, and in the next there is a tremendous risk of failure. Such men can only be obtained by holding the examination simultaneously in England and in India.

III.— Uncovenanted Service.

11. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Cap. 3, Section 6, or from all natural-born subjects of Her Majesty?—The Uncovenanted Service should be recruited exclusively from the Natives of India. The definition of the word "Native" in the Statute requires amendment. Such foreigners only should be included in the term "Native" whose interests are in every respect identical with those of the Natives, pure and simple, and who are equally subject to the same criminal laws to which such Natives are subject.

12. Should the recruitment be by competition, or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—As a rule the recruitment in the executive branch should be made from among respectible graduates and undergraduates by open competition. But for some time the system of nomination may with advantage be retained for the purpose of meeting the claims of Uncovenanted Servants of tried merits and abilities. The Judicial Service should, however, be recruited from the distinguished members of the Bar, as trained Judges are not available in the Covenanted or Uncovenanted Services.

13. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations respectively or with a preference for such residents?—The recruitment should be provincial, *i.e.*, from persons resident in the territories under the several Local Administrations respectively, and preference should always be given to the residents of each province.

14. If the existing Statutory system is abolished, should the proportion of offices assigned to that service be allotted to the Uncovenanted Service?—If the Statutory Service be abolished, and the open competitive examination be not held in India as well, not only should the same proportion of offices as is at present assigned to the Statutory Civilians be allotted to the Uncovenanted Service, but the proportion should be increased.

IV.—Pay and Furlough Rules.

15. Should any distinction be made in the salaries attached to posts reserved for the Covenanted Civil Service accordingly as the posts are held by members of that branch of the service or by members of the Statutory or Uncovenanted branches? If such distinction should be made, on what principle should it be regulated?—If the Statutory Civilian pass his probationary period in England, his pay should be equal to that of a Covenanted officer, but otherwise his pay as well as that of an Uncovenanted officer might be reduced twenty-five per cent.

16. Should any distinction be made in the furlough rules applicable to the Statutory and Uncovenanted branches of the service according to the nationality of the officer, or on any other, and what, ground?—If the definition of the word "Native" in the Statute be amended as hereinbefore suggested, there would be no necessity for any distinction being made in the rules.

17. Are the privileges in regard to pay, promotion and retiring annuity, and the general conditions of office belonging to the Covenanted Civil Service, suitable to the Natives obtaining office under the Statutory rules?—They are not only suitable but will raise the status of the Statutory men in the estimation of the educated public. But the concession would be unreasonable and misplaced as long as the system of recruitment is not changed so as to satisfy the growing aspirations of the educated Natives.

No. III.

The Rufai-i-Am Association of Lucknow.

I.—Satutory Civil Service.

1. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved? If it is not, what are the grounds of disapprobation? Are the defects of the existing system (if any) susceptible of remedy (*a*) by an amendment of the rules; (*b*) by an amendment of the Statutory provisions in that behalf; or should those provisions be repealed?—The dissatisfaction regarding the Statutory system is general among all persons who take an interest in public affairs, and among those also who come into contact with the members of it. The grounds are various, and need not all be enumerated. But the principal one is that hitherto, with a few exceptions, most unfit persons have been nominated by Government to occupy posts the duties of which they are, by their education, incapable of discharging satisfactorily. The Statutory "Civilians" are not looked upon as is any way much removed from the Subordinate Executive Service, and as such their pay and prospects are in keeping with their official position. But this, however, does not give satisfaction either to the better class of those officers themselves or to the public at large. There is a genuine and increased desire manifested by the educated and influential classes of the Native community to share in the judicial and general administration of the country, which the Government should not ignore.

The rules regarding the mode of selection of "Civilians" under the Statute are not good. In fact they run counter to the express words of the Statute under which they were framed. By the Statute only "persons of proved merit and ability" can be nominated to that service, whereas by the rules any person who has no pretention to "merit" or "ability" can be selected. And this has led to great public discontent. If the Statutory system is retained, and it is perhaps advisable to do so, it must be retained mainly as a means to promote and reward really meritorious and distinguished officers in the subordinate services, and also distinguished persons in the profession of the law.

The expression "Native of India" is well understood in common parlance. Any Eurasian gentleman born and educated in India is a Native of India provided he declares (by a procedure to be appointed by Government) that he has no intention of residing anywhere out of India. It has often been found that when the loaves and fishes of Government are concerned, then Europeans become "Natives of India" without their having the least intention to live permanently in India. That state of things should be altered.

Appointments to the Statutory Service should be made by a competitive examination held at the headquarters of each province. Candidates should possess educational qualification at least up to the F. A. standard. After selection a period of two years' training, either in India or England, should have to be undergone by the nominees.

Encouragement should be given for a journey to England, but it should not be made compulsory. In India the limit of age of the candidates appearing at the Statutory Service competitive examination should be twenty-three, for it is essential that Bachelors of Arts of Universities should be encouraged to appear at it. Physical and moral fitness of nominees should be looked to as a matter of course, but no hard-and-fast rule as to the social position and respectability of candidates need be made, for in India high education has reached only the upper classes of the Hindu and Mahomedan communities. The Committee's remarks are confined to the North-West Provinces and Oudh especially, but in other provinces, where English education is in a more advanced state, a somewhat higher educational test may be prescribed for candidates for the competitive examination for the Statutory Service. No separate college, like the old Haileybury College, is needed either in India or England for the probationary training of the selected candidates. The best Government college in the province where law lectures are delivered would afford all the facilities for their training during the probationary period, which should not, as a rule, exceed two years. Nominees wanting to graduate may take an additional year. Special arrangements should also be made for their occasionally attending the law courts and taking notes of cases, or other means should be devised to teach them practically the work of the courts.

In the opinion of the Committee the shape which the encouragement for going to England should take should be allowances and stipends towards their expenses there and after appointment to the service. They should come under more favourable rules for furlough, &c., but no difference whatever should be made between the pay and status of officers who pass the probationary period in England and those who do not, nor in their pensions.

The Statutory system should be kept up even if Indian youths went to England in larger numbers to pass the competitive examination there for the Covenanted Civil Service. A proportion may be arrived at according to which new appointments may be distributed every year among both the services.

II.—Covenanted Civil Sevrice.

2. Is any dissatisfaction felt with the existing system of recruitment for the Covenanted Civil Service? Should any, and, if any, what change be made in that system?—Competition for the Civil Service by the Natives of India in England is regarded with favour by all classes in the country. It is incumbent on the Government, however, to give greater facilities to them for proceeding to England,

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N.-W.-P. & Oudh.

Rufai-i-Am Association of Lucknow.

&c. The first thing needful is that the age of candidates should be raised from nineteen to twenty-three years. And the Association, conjointly with the Lucknow public, petitioned the Secretary of State in 1885 for it. Facilities by way of scholarships may be given to meritorious young men to appear at the competitive examination, and there could be no objection to giving appointments in the Subordinate or the Statutory Service to persons who failed to get adequate marks to secure their selection for the Covenanted Service. Probationary training would, of course, be necessary for them after nomination.

Generally Mahomedans readily go to England from North-Western Provinces and Oudh. Caste objections stand in the way of Hindus, and those of them who would be prepared to go thither are often prevented by want of means. The standard for the competitive examination for the Civil Service should be the same for all, but it is desirable that the Oriental classics, *viz.*, Sanskrit and Arabic, should receive marks equal to Greek and Latin; and Persian should be raised to the rank of German or French.

3. At what age do students of Indian Universities usually pass the F. A., B. A., and M. A. examinations respectively?—The average ages at which Indians pass the F. A., B. A., and M. A. respectively are nineteen, twenty-one, and twenty-three respectively.

4. How would you remove the disadvantages under which Natives of India labour in competing for the Covenanted Civil Service in England?—The Committee would advocate the simultaneous holding of the competitive examination in India along with that held in England. The questions and conditions of the examination should de identical. Statutory Natives of India, as explained above, should be allowed to appear at the examination held in India. Only pure Englishmen should be excluded from it as a matter of expedience. It is probable that provinces and classes of Natives which have availed themselves of the advantages of high English education more than others may at first be more especially benefited by the change advocated, but that is no reasonable objection to the principle of it. Competition is intended to gauge capacity and ability, both moral and intellectual, and justice and reason would bid us to accept unreservedly the results obtained by it. If certain classes would fare poorly at the competitive examination, that fact of itself would stamp them as being unfit for the Covenanted Civil Service. But this state of things would be only temporary. The Committee would stongly urge upon the Government the advisability of opening the door of Military service to persons of the most respectable and moneyed classes, who would for some time to come be debarred by their own fault and negligence from getting into the ranks of the Covenanted Civil Service.

The candidates should be selected in order of merit from the joint list of competitors appearing in England and India. The result being obtained by competition, there could not, and need not, be any apportionment of appointments among Native inhabitants of the territorial divisions of British India. But Government in the Executive Department might appoint certain officers to certain provinces according to its reasonable discretion. It should be here remarked that education and culture minimises race peculiarities, and the Indian mind is such that whenever there is an officer remarkable for his ability, impartiality, tact and energy, he is sure to be applauded by the people, to whatever race or community he may belong.

It is unquestionable that the Native gentlemen obtained for the Civil Service by open competition in England are the best as regards character and capacity that could be obtained under any system.

Persons entering the Covenanted Civil Service through open competition in India should be made to pass the probationary period in England, and their pay and allowances, &c., should be equal to those of their English competitors.

By way of supplement the Committee of the Rufai-i-Am Association remark that, should the Government be disposed, as it is advisable that it should, to hold a simultaneous examination in England and India, then the present method of appointing young men by nomination to the Statutory Civil Service (or the proposed mode of selection by competition) may be altogether given up.

The Statutory Civil Service should then be kept up only as a means of rewarding and promoting men of real ability and distinction in the subordinate services and in the profession of the law, for it is inexpedient and unjust that high judicial and administrative posts, such as those of the District and Sessions Judges snd District Magisrates, should be altogether closed to persons who are most fitted by their education and experience to hold them. This was originally the intention of Her Majesty's Government which framed the Statute.

III.—Uncovenanted Service.

5. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Cap. 3, Section 6, from all natural-born subjects of Her Majesty?—The Uncovenanted Service, especially the Subordinate Executive and Judicial Services, should not be recruited from purely European British subjects, but from Natives of India; but other services, such as the Police and other purely Executive Departments of Government, may be recruited, as at present, partly from European and partly from Natives of India.

Uncovenanted officers who have to exercise judicial functions should be selected by competition; and others may be selected by a combined mode of nomination and competition. The services, being purely provincial, should be recruited provincially.

PROCEEDINGS

OF THE

PUBLIC SERVICE COMMISSION.

VOL. II.—PROCEEDINGS RELATING TO THE NORTH-WESTERN PROVINCES & OUDH.

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IV.—Assistant Surgeon MUKAND LAL, Agra.
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VII.—C. H. ROBERTS, Esq., Extra Assistant Commissioner, Kumaon.
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PROCEEDINGS

OF THE

PUBLIC SERVICE COMMISSION.

VOLUME II.—SECTION III.—SUB-SECTION B, NORTH-WESTERN PROVINCES AND OUDH.

No. I.

SYAD ALI HUSEIN, DEPUTY COLLECTOR, BAREILLY; VICE-CHAIRMAN OF THE BAREILLY MUNICIPAL BOARD.

I.—Working of the existing Statutory System.

1. What is the prevalent feeling in your province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general, or is it confined to certain sections of the community?—There is no reason to think that there is a feeling of dissatisfaction regarding the Statutory system in these provinces except among the members of the Uncovenanted Service, who appear to be dissatisfied with the mode of selection for the Statutory Service.

2. What are the grounds upon which any such feeling is based?—Because no selections have been made from amongst deserving members of the Uncovenanted Service hitherto. The service has many an able man in it with a good reputation and character.

3. Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic., Cap. 3, Section 6), or is it directed against the rules framed thereunder?—Neither.

4. If the Statute itself is objected to, is it because its provisions admit persons to specific appointments only and not to membership in an organized "service"?—The Statute is not objected to.

6. If a desire is felt for enrolment in a general service, what are the reasons for this desire?—Few persons seem to have been admitted into other branches of the service, such as the Opium, Salt Revenue, and Account Departments. There is a desire felt for enrolment in these departments in the better-paid posts.

7. What amendments do you advocate in Section 6 of the Statute? Do you consider that Section 6 of the Statute supplies such a definition of the words "Natives of India" as describes with sufficient clearness, fulness, and accuracy the various classes of persons for whose appointment to Covenanted posts it is desirable to provide? If not, can you suggest any more complete or more satisfactory definition?—Section 6 of the Statute seems to be sufficiently clear. It does not call for any amendment.

10. If the objections are directed against the rules framed under the Statute, do they relate to the mode or modes of selection actually adopted?—A hard-and-fast rule always gives rise to dissatisfaction. Simpler rules should, therefore, be framed providing to a certain extent for the appointment of deserving Uncovenanted Servants to the Statutory Service. In this case previous meritorious service, ability, and social status should be the main points to be considered at the time of selection.

11. Do they relate to the general conditions in regard to pay, promotion, and retiring annuity, under which Statutory Civilians hold their offices?—I do not think there exist any real objections in regard to pay, promotion, &c., under the existing rules.

12. Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objections which may be felt to them?—See answer to question 7.

13. Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted officers?—Yes, a Statutory Civilian is regarded as a member of a comparatively superior service.

14. If so, on what grounds?—The Statutory Service is, in the first place, connected with the best service in the country; secondly, its members are destined to rise to very high appointments; thirdly, the promotion is not so slow as in the Uncovenanted Service.

15. How is the present Statutory system regarded by members of the Uncovenanted Service?—With feelings of indifference.

16. Do competitive Civilians, English and Native, and members of the Uncovenanted Service respectively stand on a footing of cordiality with Statutory Civilians, or is there any friction between them?—The number of Statutory Civilians being hitherto limited, and almost all the members being juniors, it would be premature to reply to this question yet. But so far no friction has been noticed.

17. Has the Statutory system had the effect of securing men who, in point of education or natural

NOTE.—The numbering of the questions is according to Set D; where any questions have not been answered, they have been omitted.

ability, are superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service?—No. With one or two exceptions none of the Statutory Civilians seem to be better qualified in all respects than their colleagues in the Uncovenanted Service. I do not mean to say that the whole of the Uncovenanted Service is very ably recruited, but I mean that there are several officers in it who, if appointed to the Statutory Service, would carve out a brilliant career.

18. Has the result of the Statutory system been to secure the services of men of better social position and better family than those who usually accept posts in the Uncovenanted Service?—No. The persons hitherto selected appear to be generally the sons of wealthy people. Men of similar social position and of better family are to be found in dozens in the Uncovenanted Service. In selecting persons for the Statutory Service the following main points should not be lost sight of: (1) merit; (2) ability; (3) social status. In India, and particularly in the North-Western Provinces and Oudh, there are wealthy people who, though some of them command an outward respect in the eyes of the community at large, are thoroughly and inwardly respected by the people. It would be a mistake if social status was measured by degrees of wealthiness alone. Here, in our provinces, a pure descent is an essential thing, because, as a general rule, none but a man of some good family of an established past or present reputation, though not in very good circumstances of life, would command respect. Such men will not have a tendency to hold themselves aloof and to make themselves unpopular in the eyes of the public. Probably they might be inferior in education to those who have received a higher training at some college; but experience will show that their intimate knowledge of the people, their influence and their habits, will be more useful in the discharge of public functions.

II.—Mode of Selection of Statutory Civilians.

19. On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your province?—With satisfaction.

20. How would a system of nomination to be followed by a period of probation be regarded by the same classes?—Nomination followed by probation would not be objectionable in the case of young men who have had no previous experience of work.

21. Would a system of nomination, with or without probation, be likely to secure well-qualified persons?—There is reason to think that it would on the whole be successful.

22. Has experience actually shown such a system to secure well-qualified officers?—The system has hitherto met with half success.

23. Do you consider that nominations should be confined to persons of proved merit and ability?—No. See answer to question 18, *ante*.

24. If so, how do you consider that merit and ability should be held to have been proved for this purpose?—There ought to be no difficulty in the case of an appointment from the ranks of the Uncovenanted Service, for there would exist ample means of judging their ability and merit; but in the case of a beginner probation would be a good test. I would advocate only a very few appointments being given to those who have not been in responsible Government employ beforehand.

25. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded?—Not very favourably.

26. In preference to either of the above systems (nomination and limited competition), would a system of open competition, pure and simple, for the Statutory Service commend itself to the Native community?—I have no clear opinion in regard to this question.

27. If competition (whether limited or open) is preferred, should there be one competition for all India or separate competitions in each province?—In such a case there should be a separate competition for each province.

29. Having regard to the varying educational standards reached in the several provinces, and the varying conditions prevalent therein, is it possible to have any one system of selection for all India which would not result in the inhabitants of some provinces being more or less excluded from a due share of appointments?—One common system of selection for all India would hardly be advisable, for the North-Western Provinces and Oudh are still inferior to Bengal from an educational point of view.

30—31. Under any of the three systems of nomination, limited competition, and open competion, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age; (2) intellectual capacity; (3) moral, social, and physical fitness? If so, what should be the tests under each of the heads specified?—Under any of the three systems the following should be the indispensable qualifications: (1) The age of a cadet should not exceed twenty-five; (2) he should know English and Urdu—the minimum standard of education being the F. A. examination or some other equivalent test; (3) a certificate of moral character and social position from a Commissioner, Collector, or a Judge, and, as to physical fitness, from a Surgeon. Provided that in the case of persons selected from the ranks of the Uncovenanted Service, all these requirements should be dispensed with, except that the age of the nominee should not be over forty.

32. Do you consider that (after selection, whether by nomination or competition) there should be a period of probation?—Except in the case of an appointment from the ranks of the Uncovenanted Service, a period of probation appears to be necessary.

33. If so, what should be the duration of the probationary period?—From two to three years.

34. Should the period of probation be passed in the ranks of the Uncovenanted Service, or of the Covenanted Service, or what other manner?—No; it need not be passed in the ranks of the Uncovenanted Service, but, as at present, the incumbents

should hold the Statutory appointment on probation.

35. Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training?—No.

36. If so, should the special training be carried out in India or in England?—Neither.

37. If in India, would it be possible and, if possible, advisable to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England?—I do not think there is any necessity for such a course.

38. If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service?—It should be left to the option of the persons nominated.

39. If so, what form should such encouragement take?—Government should only grant them two years' leave on half pay *plus* free passage to and from India.

40 & 41. Should it be offered before, or during, or after, the probationary period, if any, through which nominees or selected candidates may be required to pass? Should it be offered before or after the nominees or selected candidates enter on their duties?—During the period of probation only.

42. Are you in favour of the establishment of scholarships tenable by natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service?—For the Civil Service alone.

44. Do you think that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England or have gone to England to add to their qualifications and those who have not?—No, I do not think so.

45. If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent?—It may be taken advantage of, but not to any great extent in the present state of the North-Western Provinces.

46. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—Yes; the retention of the Statutory Service is desirable even in that case.

47. If so, to what appointments or classes of appointments would you restrict the latter system, and what conditions over and above those already existing would you impose?—To no particular class of appointments. The Statutory Civilians should hold similar appointments to those held by other members of the Civil Service. The Judicial line would, however, be more suitable; but I would place no restrictions. The pay of the Civil Servant and the Statutory Servant should continue to be regulated by the rules now in force.

III.—Competition in England for the Indian Civil Service.

48. Is competition of Natives in the examination in England favourably looked upon by large and important classes in India?—No.

49 to 51. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition? If so, what form or forms should such facilities take? What conditions, if any, should be attached to them?—I would propose an increase of two years in the age, and would recommend no other facilities for Natives.

52. What is your opinion as to giving Statutory appointments to Natives who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition?—I am against this.

55. Can you say what number of Natives belonging to your province have presented themselves annually at the competitive examination in England, and what degree of success they attained?—None that I can think of has succeeded in passing for the Civil Service; the limit of age being the main cause. Probably only four or five persons have presented themselves in England during several years past.

56. What class or classes of Natives in your province readily go to England?—Mahomedans, Kayesths and Rajputs.

57. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—Up to a very recent period, say till some fifteen or sixteen years ago, the Mahomedans and Hindus were both shy of going to England: the members of the latter religion generally, and those of the former to a certain extent, believed that a stay in England would sacrifice their religion, and that persons returning from England would lose all confidence amongst their co-religionists and brotherhood. The case is different nowadays. Among Mahomedans there are only very few who continue to cling to the old prejudices. Among the Hindus the Brahman would still appear to retain the prejudice. Much, however, depends upon the father or the guardian of a boy. If he is a man of enlightened mind himself, and a well-educated man, he would turn a deaf ear to the foolish advice of the members of his caste and brotherhood: perhaps Saraogis (the followers of the Jain creed) would be much more reluctant than anybody else. But one or two of them have set an example by a long sojourn in a country beyond the seas and by coming out as barristers. Such persons may find a difficulty in marrying, but their richness is sure to override the difficulty.

58. Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—No, one and the same.

61. If a fixed proportion of appointments were allotted for a Native examination in England, do

you consider that, in view of the objections against a voyage to England and life there, the cost thereof and the chances of failure, a sufficient number of suitable candidates from your province would be available to make the competition a real competition?—With this additional facility, *viz.*, allotting a fixed proportion of appointments and raising the limit of age, it is believed that a sufficient number of candidates would be available from these provinces.

62. If the examinations were distinct, what should be the limits of age for the Native examination?—I am opposed to distinct examinations or to any lowering of the standard of examination; but I would recommend two years more being allowed in the age of a Native competitor.

64 to 66. Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates? If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage? If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates; and, if so, what should the limits for Native candidates be?—The age alone places a Native at a disadvantage. Native lads are generally physically unfit to go to school at the same age as their English brethren, and, as a rule, in many respectable families there is some sort of religious training in the beginning: hence a Native lad should be allowed, in justice, more time.

67. If higher limits of age were fixed for Native than for European candidates, might not the latter complain that they were placed at a disadvantage?—There ought to be no reasonable grounds for complaint.

69. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your province?—From almost all classes—Mahomedans (Syads, Shaikhs, Pathans, &c., included), Brahmans, Kayesths, Mahajuns, &c.

IV.—Competition in India for the Indian Civil Service.

70. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—No, I do not.

71. How would this method of selection be regarded by the Native community generally?—With indifference.

74. Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system as introduced in 1855 to secure?—I am rather doubtful on this point; my opinion tends towards a negative reply.

75. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others?—No, I do not think so.

76. Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—Possibly it might bring in more Hindus into the service.

77. Do you think there are any objections on political or administrative grounds to open competition in India?—Yes; on political grounds it would be inadvisable to introduce it here. It may introduce men of low social status into the service; such men might not command respect, or may, in other words, be looked down upon with contempt.

78. Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—Very probably.

81. Under a system of open competition in India, would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England?—Yes: somewhat inferior.

82. Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed?—I am opposed to the abolition of the Statutory system. I do not think the system proposed in this question would work successfully.

V.—Promotion from the Uncovenanted Service.

95. To what extent does the Uncovenanted Service in your province include in its ranks persons eligible on the ground of proved merit and ability for appointment to offices ordinarily reserved for members of the Covenanted Civil Service?—From five to ten per cent.

96. If there are such persons in the Uncovenanted Service, could they be appointed to the lowest grade of the Covenanted Service without suffering in pay?—No; they should not be so appointed; but the transfer should at least be made to an appointment not less in emoluments than that from which the officer is transferred.

97. Under existing rules as to pay, &c., how would such appointments be regarded by Uncovenanted officers?—With no dissatisfaction.

98. Do you think they would be willing to forego pay for the sake of the advantages which admission to the Civil Service might afterwards bring?—Some of them might do so. The promotion in the Uncovenanted Service has been slow, and no temporary promotions (during leave, &c.) are given; the Uncovenanted Service differs from the Covenanted Service in many respects.

99. What special provision, if any, do you think should be made for the appointment to Covenanted

posts of deserving members of the Uncovenanted Service?—I would recommend that not less than one-half, and not more than two-thirds, of the appointments reserved for the Native Civil Service be given to deserving members of the Uncovenanted Service. No one who has not a fairly good knowledge of the English language should be eligible for the Covenanted Service.

100. If such appointments are made, should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service, and, if so, what classes?—I would not place any restrictions, but would propose that selections be made generally from amongst Deputy Collectors, Extra Assistant Commissioners, Munsifs, Junior Subordinate Judges, Tahsildars, and Head Masters, but *not* from the *Amla* class.

101. Should persons so appointed be appointed provisionally and be required to pass through a period of probation before final confirmation?—Each case should be individually and separately dealt with. If a Deputy Collector were appointed as Joint Magistrate, it would be superfluous to fix a period of probation in his case; but if a senior Head Master were appointed to a Covenanted post, such period would be indispensable in his case.

102. Should provision be made for the appointment of qualified members of the Uncovenanted Service to the higher Covenanted offices without requiring them to pass through the lower grades?—Yes.

103. If certain appointments in the Covenanted grades are set apart for the Statutory Service, should a fixed proportion of those appointments be expressly reserved for persons of proved merit and ability in the Uncovenanted Service?—Yes.

VI.—Pay, Leave and Pension, &c.

120. Have you any remarks to make on the leave rules embodied in the Civil Leave Code which apply to Statutory Civilians?—No; they appear to be sound and fair.

121. At what age do you consider that Natives appointed to Covenanted posts otherwise than through the competitive channel in England should be entitled to retire on pension?—Fifty-five years appears to be a very reasonable limit.

122. After what length of service do you consider that such persons should be entitled to retire on pension?—After twenty and twenty-five years.

123. At what age should they be obliged to retire on pension?—After sixty years of age.

124. After what length of service should they be obliged to retire on pension?—Thirty years.

125 and 126. What amount of pension should, in your opinion, be granted to Natives so appointed if they serve the prescribed period for voluntary and compulsory retirement respectively? If, before serving the prescribed period for pension, they are compelled to retire on medical certificate, what gratuity, if any, would you give them?—No change appears to be necessary in the rules now in force.

VII.—General.

127. How far is the existing system of education in the higher schools and colleges in India well adapted for training young men to the public service? Can you suggest any improvements?—It appears to be pretty satisfactory; but I would recommend the introduction into the scheme of study of some simple books giving some description of the laws of the land, and of the general principles of equity and justice.

129. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—Some of them do. The Mahomedan College may be cited as an example. Students brought up at that institution are seemingly liberal-minded, and the mode of training is such as to ensure a development of moral character. It would be well if other institutions would follow the same principles. If a necessity ever arises for such an institution such as the old Haileybury in England, possibly the promoters of the Aligarh College will come forward to assist the Government in the carrying out of the work.

130. Do we now obtain for Government service Natives of the classes who, under Native rule, carried on the civil administration of the country?—No, not exactly. But the difference probably results in no inconvenience or injury to the public service. The middle class examination certificate having been much insisted upon during recent years, many well-educated persons of good social position, who have not passed the middle class examination, are prevented from obtaining employment. There are certainly large numbers of people who have learnt at indigenous schools, and have acquired good abilities, but who find the doors shut against them.

132. How far would any system of appointment which involves a journey to and residence in England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—The time has probably not come yet when it may be said that among no classes of the community do there exist any objections; that is to say, prejudices, though diminished, do still exist, and the abolition of the Statutory Service will on this and other grounds be a matter of great disappointment.

133. How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to and residence in England?—That would be another ground of complaint: the retention of the Statutory system is, therefore, recommended.

134. Are the Natives who go to England from your province for purposes of education limited to the wealthier classes?—Yes, with only slight exceptions. I have heard of a person having sold

apportion of his estate to realise money to cover the expenses of his son's training in England.

135. Are they limited to any particular section of the community or to any particular creed?—No.

136. Does a voyage to or residence in England involve the loss of social position or other unfavourable consequences in the case of any section of the Native community?—It does not involve a loss of social position, &c., among Mahomedans; but in the case of Hindus the consequences are rather unfavourable. People would abstain from dining with one who has been to England and has adopted English habits of life. There is no serious difficulty, however, because the persons who have been to England are generally sons or relatives of wealthy people, and this fact alone renders the dislike less intense.

137. Does it result in placing those Natives who undertake it more or less out of touch and sympathy with their fellow-countrymen on their return to India?—Yes; to a certain extent.

138. Would the requirement of a temporary residence in England as a condition precedent to or following on appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—Yes; very probably.

139 & 140. If the Statutory system is discontinued, should special provision be made for the appointment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to and residence in England? If so, what provision should be made for this purpose?—I am not in favour of the abolition of the Statutory Civil Service. I do not think that a better provision can be made.

141. If the Statutory system is discontinued, do you consider that special provision should be made for the appointment to Covenanted posts of capable members of the professional classes?—There are many able members certainly in the professional class; and it would be just and fair to appoint to Covenanted posts some of them in a certain proportion. But such appointments should be governed by the Statutory system.

143. Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family subject to such antecedent guarantees of fitness as may be considered sufficient in each case?—Yes; but such power should be exercised to a very limited extent. Perhaps it has been too freely exercised hitherto, and has given cause for discontent and disappointment. Why not let such a cadet enter the Uncovenanted Service at first and show merit and ability, and then transfer him to the Covenanted Service?

145. If a thorough knowledge of English were made an essential qualification for appointment to Covenanted posts, would the field of selection in the case of persons already in the Uncovenanted Service, or engaged in the exercise of a profession, be unduly limited thereby?—Yes; it might be limited. But I am of opinion that a knowledge of the English language is essential.

146. If such is likely to be the case, could the difficulty be obviated by requiring proficiency in the English language to be tested by periodical examinations after selection but during a probationary period?—There should be no necessity for periodical examinations. It would complicate matters. Government ought to satisfy itself of the qualifications of a nominee, by a reference to its officers, who have ample means of judging.

147. Should provision be made for the occasional appointment in very special and exceptional cases to Covenanted posts of persons of known ability and local influence whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grades for political or other reasons?—Yes, but in exceptional cases and where the claims are pressing and strong.

148. Would it be desirable to rule that the proportion of persons being Hindus and Mahomedans respectively, who are from time to time or over a series of years appointed to the Covenanted ranks in any province, should bear a certain relation to the number of the two classes composing the population of the province concerned?—Yes; as far as possible.

149. What classes, ranks, or professions of the Native community should be included among Mahomedans and Hindus respectively for the purpose of ascertaining the proportion of the population of each of these classes in the several provinces?—Mahomedans—Saiyids, Shaikhs, Mughals, Puthans; Hindus—Brahmans, Kayesths, Mahajuns, Rajputs. Jats and Gujars have more fitness for military employ than for the Civil Service. Inclusion of people from the lower orders of society must necessarily produce dissatisfaction, as such people are sure to have no influence.

150. How far should appointments in each province to Covenanted posts be restricted to Natives of the province concerned?—A person belonging to another province ought not to be appointed,—that is to say, the selection should be local.

151. How would the following scheme be regarded by the Native community?—(1) The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only; (2) the appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible?—Favourably.

152. How would you regard such a scheme?—The Natives should not be excluded from competition in England. I have expressed my own opinion freely in reply to the foregoing interrogatories.

155. How would the Native community view a proposal to combine the higher appointments of the Uncovenanted Service with the appointments taken from the Covenanted Civil Service so as to form an enlarged Civil Service to be recruited in India?—A Statutory system for Natives in India and a competition system in England open to Natives and Europeans alike, should satisfy the public. There should be a fair proportion of appointments for both services.

157. How would the Native community regard the following scheme?—(1) A certain number of appointments in the Covenanted Civil Service to be reserved for Natives; (2) a certain proportion of that number to be filled by competition or by some other system in India; (3) the remainder to be filled by competition in England? How would you regard such a scheme?—This is fairly in accord with my proposal.

159. Assuming a system of nomination or of limited competition among nominated candidates, would Native opinion be in favour of giving a preference, as between candidates possessed of certain preliminary essential qualifications and having on general grounds fairly equal claims in the following or any other order, to—(*a*) members of families of tried loyalty and distinguished service; (*b*) persons of good social status and influence in the country; and (*c*) persons of superior educational attainments, such as persons who have taken the degree of M.A.? What is your opinion as to giving such preference?—The appointments should be proportioned among persons mentioned in clauses (*a*), (*b*), and (*c*); but there should be a fourth clause—(*d*), distinguished members of the Uncovenanted Service. Appointments under clause (*a*) should be very limited, and class (*d*) should receive a large proportion.

161. How would the Native community regard a system of nomination on the ground of merit and ability shown in the service of Government or in the exercise of a profession, alternating with a system of selection by means of competition, whether entirely open or amongst nominated candidates?—It should find favour with the Native community.

163. If the Statutory system were maintained, and if a probationary period were required from nominees or selected candidates before final appointment, would it be necessary to insist upon such probationary period in all cases, *e.g.*, in the case of a person who has done good service in the Uncovenanted ranks?—No. It is unnecessary in the case of a person selected from the ranks of the Uncovenanted Service, when that person has shown sufficient merit and ability already. Nor should such person be subjected to a further departmental examination, provided the work of the appointment is not quite different from the work that the person selected had to do in the Uncovenanted Service.

164. In the case of persons nominated from the professional classes, is it desirable that a probationary period should be prescribed?—No; persons selected from the Bar would be more suitable for employment in the purely judicial line.

165. If so, is it necessary that the incidence of such period as to duration and pay should be the same as those attached thereto in the case of Statutory Civilians appointed on probation to the lowest grade of the Covenanted Service?—No; not generally.

166. On what principles should the promotion of Natives appointed to Covenanted posts otherwise than by the channel of the competition in England be regulated?—On the same principles as the promotion of other Covenanted Servants; the list should be one and the same, and there should be no difference except in pay.

167. Would you regulate such promotion only by considerations of fitness and approved personal merit?—No; by seniority as a rule; but merit should also partially and occasionally be taken into consideration.

168. Should Natives appointed to Covenanted posts be required to pass the departmental examinations?—See answer to question 163.

169. Should they be required to pass the departmental examinations by both the lower and higher standards within their probationary period, subject to the penalty of forfeiture of appintment if they fail to pass within that time, unless the period is for special reasons extended?—There should be a limit of three years for such persons who may be altogether new to the department; but in the case of persons enrolled from the ranks of the Uncovenanted Service, examinations (whether lower or higher standard) should be dispensed with.

170. Should a period longer than the probationary period be allowed for passing the departmental examination by the higher standard?—Both periods should be concurrent.

171. Should the present rule be maintained under which probationers may be confirmed in their appointments at the close of the probationary period of two years, provided that they pass within that period the departmental examination by the lower standard prescribed for Covenanted Civilians appointed in England, no obligatory period being fixed for passing the higher standard, but no promotion or increase of pay being attainable until the higher standard examination has been passed, and power being retained to the Government to dispense with the services of a Statutory Civilian who may fail to pass by the higher standard within a reasonable time?—Passing by the higher standard in the case of persons new to the department should be made compulsory.

173. Should subjects of Native States be eligible for appointment to Covenanted posts in British India?—No.

174. If so, should this be extended to all Native States in alliance with the Crown, or only to those in subordinate alliance?—The restriction should govern both; but either of them should be allowed to compete in England.

175. What system, if any, is at present adopted in your province for bringing into the public service persons who, from their position or otherwise, cannot be expected to enter the service of Government in the lowest grades, and for giving them the necessary apprenticeship?—Young men possessed of middle class examination diplomas are permitted to serve as apprentices in a Collector's office or in a Tahsildar's office; and, in case of their showing ability and aptitude for the public service, they are at first offered officiating appointments and confirmed ultimately as opportunity offers.

176. Does the system work well, and what improvements can you suggest?—The system is based on a good and sound principle, but it is not much in vogue.

VIII.—Composition, Recruitment, &c., of the Subordinate Executive and Subordinate Judicial Services.

177. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services respectively regarded by influential sections of the Native community?—The arrangements are pretty satisfactory, but the promotion is slow; and when persons in the higher grades take long leave, &c., no temporary promotions are given to officers who are junior in the service; senior officers whose terms of service are up, feel reluctant in retiring. This impedes promotion also.

178. To what sections of Native society do the persons belong who accept, under existing conditions, appointments in the Subordinate Executive and Subordinate Judicial Services respectively?—To all sections of Native society. But few appointments appear to have been given to Natives in the higher Police service and in the Opium Department.

179. To what extent do Natives of good family and education in your province offer themselves as candidates for Subordinate Judicial and Executive appointments?—To a large extent. There ought to be some regular system of securing the services of persons of good family and of good ability as apprentices, paid or unpaid, for a time.

180. Do Natives who have been to England for purposes of study, on their return to India willingly accept such appointments?—No. They are generally inclined to practise at the Bar, and perhaps think the appointments in the Uncovenanted Service too low for them. But few of them have been offered higher appointments yet; so the point is quite clear.

181. How far are such appointments in your province restricted to persons *bonâ fide* resident in (and connected with) the province?—I think to the extent of two-thirds.

182. How far are the professional classes represented in the Subordinate Executive and Subordinate Judicial Services respectively in your province?—Professional classes appear to be largely represented in the Subordinate Judicial Service. More than two-thirds of the service perhaps consists of persons who have formerly been Pleaders.

183. Do members of the professional classes in your province readily accept employment in those services?—Yes, but Pleaders who have earned a wide reputation and get more than they would by way of pay in the Judicial Service do not care for employment.

184. Whatever system or systems may at present be adopted for the purpose of regulating appointments to the Subordinate Executive and Subordinate Judicial Services respectively, are any class or classes of persons expressly or practically excluded from such appointments?—No, I do not think any class is excluded; but only those who are not qualified for the particular appointment. There is no complaint as far as I know.

189. Is it, in your opinion, necessary that there should be a proportion of Europeans either in the Subordinate Executive Service or in the Subordinate Judicial Service, or in both of those services?—No.

191. What, in your opinion, is the requisite proportion to be maintained between Europeans and Natives in those services?—I would not impose any restrictions.

192. How do European members of the Subordinate Executive and Subordinate Judicial Services respectively work with Native members of those services?—On good terms.

194. Are you in favour of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the Subordinate Executive and to the Subordinate Judicial Services as defined for the purposes of these questions?—No.

195. If so, what test would you apply?—The present system is sound enough and calls for no change.

No. II.

ŞHEIKH INAYUTULLA, TALUKDAR, SAIDANPUR.

I.—Working of the existing Statutory System.

Vol. II. Sec. III. Sub-Sec. B. — N.-W. P. & Oudh. — Sheikh *Inayutulla.*

1. What is the prevalent feeling in your province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general, or is it confined to certain sections of the community?—The Statutory Civil Service is condemned by those who prefer to enter the Civil Service of their country through a competitive examination, whereby the abilities of candidates are thoroughly tested. But the feeling of dissatisfaction is not so strong as to require the immediate and total abolition of the system.

2. What are the grounds upon which any such feeling is based?—The feeling of dissatisfaction arises from the fact that, in selecting candidates under the present system, the claims of really able and efficient Natives are ignored. But the total abolition of the present system is not recommended, because, generally speaking, in many provinces of India education has not sufficiently advanced, and the people have not acquired those great qualifications which might justify their being subjected to a competitive examination.

3. Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic., Cap. 3, Section 6), or is it directed against the rules framed thereunder?—The feeling of dissatisfaction is not directed against the Statute itself, but against the rules made thereunder.

10. If the objections are directed against the rules framed under the Statute, do they relate to the mode or modes of selection actually adopted?—The objections are directed against the mode of selection.

11. Do they relate to the general conditions in regard to pay, promotion, and retiring annuity under which Statutory Civilians hold their offices?—Yes.

12. Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objections which may be felt to them?—No difference in regard to pay, promotion, and retiring annuity should be made between the Statutory and the Covenanted Civilians.

13. Are Statutory Civilians regarded by the general public as occupying a position inferior to that of persons who enter the Convenanted Service through the competitive channel?—Yes.

14. If such a feeling exists, on what grounds is it based?—The feeling is based on the grounds that the pay is lower, that fewer chances of promotion are allowed to the Statutory Civilians than those enjoyed by the Covenanted Civilians, and that no retiring annuity is given to the former.

15. Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted officers?—Yes.

16. If so, on what grounds?—The difference with which the general public view the status of Statutory Civilians and that of Covenanted Civilians arises solely from the former being Natives.

II.—Mode of selection of Statutory Civilians.

17. On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your province?—Appointment by nomination would meet with their approval.

18. How would a system of nomination to be followed by a period of probation be regarded by the same classes?—Would also be approved.

19. Would a system of nomination with or without probation be likely to secure well-qualified persons?—Yes.

20. Has experience actually shown such a system to secure well-qualified officers?—Owing to the defective system of selection the fact remains doubtful.

21. Do you consider that nominations should be confined to persons of proved merit and ability?—No.

23. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded?—Would meet with general approval.

24. In preference to either of the above systems (nomination and limited competition), would a system of open competition, pure and simple, for the Statutory Service commend itself to the Native community?—Different conditions prevailing in different provinces of India, the system referred to would not be generally approved.

27. Having regard to the varying educational standards reached in the several provinces, and the varying conditions prevalent therein, is it possible to have any one system of selection for all India which would not result in the inhabitants of some provinces being more or less excluded from a due share of appointments?—No.

28. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age, (2) intellectual capacity, (3) moral, social, and physical fitness?—The system prevailing in England should be adopted in India.

30. Do you consider that (after selection, whether by nomination or competition) there should be a period of probation?—Yes; there should be a period of probation.

NOTE.—The numbering of the questions is according to Set E.

31. If so, what should be the duration of the probationary period?—One year.

33. Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training?—No.

36. If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service?—Yes, if their circumstances are such as to require encouragement.

37. If so, what form should such encouragement take?—No particular form can be suggested.

38. Should it be offered before, or during, or after, the probationary period, if any, through which nominees or selected candidates may be required to pass?—Should be left to the choice of candidates.

39. Should it be offered before or after the nominees or selected candidates enter on their duties?—The matter being left to the choice of candidates, should not be made to depend on their entering the service.

40. Are you in favour of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service?—Yes.

41. If so, how would you connect such a scheme with the selection of Natives for employment in the higher administrative posts in India?—The scheme should be connected with the selection of Natives in the same way as with the selection of Englishmen in England.

42. Do you think that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England or have gone to England to add to their qualifications and those who have not?—No.

43. If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent?—Yes.

44. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—Yes.

45. If so, to what appointments or classes of appointments would you restrict the latter system, and what conditions over and above those already existing would you impose?—There should be no restrictions on appointments; but the system of selection should be such as to secure well-qualified persons.

III.—Competition in England for the Indian Civil Service.

46. Is competition of Natives in the examination in England favourably looked upon by large and important classes in India?—Yes, if they do not contract manners and habits which are unacceptable to us (Natives generally).

47. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition?—Yes.

48. If so, what form or forms should such facilities take?—The facilities, if needed, should take the form of pecuniary aid.

49. What conditions, if any, should be attached to them?—No conditions need be attached.

50. What is your opinion as to giving Statutory appointments to Natives who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition?—Should be given them.

51. Assuming it to be advisable to point to the Statutory Service in India Natives who have failed in the English competition, should such persons receive the same training as successful candidates in England and be subject to the same final examination?—Yes; but they need not be subjected to the same final examination. They should be dealt with under the Statutory system.

52. Should they on appointment to the Statutory Service in India be subject to the same incidents as apply to other persons appointed under the Statutory rules?—Yes.

53. Can you say what number of Natives belonging to your province have presented themselves annually at the competitive examination in England, and what degree of success they attained?—None.

54. What class or classes of Natives in your province readily go to England?—None.

55. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—Yes; the objections are based on purely religious grounds, and are felt by those who have strong religious feelings.

56. Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—There should be one and the same examination for all.

62. Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates?—Yes, but the only change advocated is the raising of the age limits.

63. If so, in what respects are Native-candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage?—They are placed at a disadvantage in respect of age.

64. If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates; and if so, what should the limits for Native candidates be?—Twenty-two years should be the maximum.

65. If higher limits of age were fixed for Native than for European candidates, might not the latter complain that they were placed at a disadvantage?—Their complaint would be groundless.

66. What is the average age at which Natives at the Indian Universities pass the examinations for F.A., B.A. and M.A. respectively?—Not known.

67. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your province?—Not known.

IV.—Competition in India for the Indian Civil Service.

68. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—No competition is needed in India.

69. How would this method of selection be regarded by the Native community generally?—Considering the result, this method of selection is not generally approved by Natives.

77. Under a system of open competition in India, how would it be possible to provide against the Natives of a province, in which education is comparatively backward, being excluded from appointments in their own province?—It is impossible to provide against their exclusion.

78. Would a system of provincial examination be preferable to one examination for the whole of India?—Yes; a separate examination should be held in each province.

79. Under a system of open competition in India, would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England?—No; they would not be so regarded if no difference is made in regard to pay, pension, &c.

80. Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed?—Considering the present condition of India, such a system would be disapproved by Natives.

81. If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates in regard to age?—The age should be the same as is required for English candidates.

82. In regard to minimum educational attainments?—The minimum educational attainments should be such as are obtainable in India.

83. In regard to moral, social, and physical fitness?—The qualifications in regard to moral, physical, and social fitness should be the same as are required on the part of English candidates.

84. In other respects (if any)?—Like Englishmen in England.

85. Should the subjects and conditions of the examination be the same as those prescribed for the competitive examination in England, or should they be different?—No; they should not be different.

88. Should successful candidates go through a period of special study in India like the English candidates who spend two years in special preparation?—Yes; they should go through a period of special study in India, which should be shorter than that gone through by English candidates.

89. Would it be preferable (*a*) to require them to go to England, or (*b*) to give them the option of going to England, suitable allowances being given to enable them to prosecute their studies there?—(*a*) No; it should be left to their choice. (*b*) Yes, if they desire it.

90. Should successful candidates at the Indian competition be required to pass through a probationary period before final appointment?—Yes.

91. If so, what should be the duration of the probationary period?—One year.

92. How should it be passed—in the ranks of the Uncovenanted Service, or otherwise?—In the same way in which it is passed in England.

V.—Promotion from the Uncovenanted Service.

93. What special provision, if any, do you think should be made for the appointment to Covenanted posts of deserving members of the Uncovenanted Service?—No special provision is required.

94. If such appointments are made, should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service; and, if so, what classes?—Yes; they should be restricted to Extra Assistant Commissioners and Munsifs.

95. Should persons so appointed be appointed provisionally and be required to pass through a period of probation before final confirmation?—Yes; they should be appointed provisionally.

96. Should provision be made for the appointment of qualified members of the Uncovenanted Service to the higher Covenanted offices without requiring them to pass through the lower grades?—If they have not passed any prescribed examination they should be required to pass one.

97. If certain appointments in the Covenanted grades are set apart for the Statutory Service, should a fixed proportion of those appointments be expressly reserved for persons of proved merit and ability in the Uncovenanted Service?—No.

98. Should special provision be made for the promotion to Covenanted posts of European members of the Uncovenanted Service?—No.

99. Should special provision be made for the promotion to such posts of Eurasian or other members of the Uncovenanted Service who, though not Natives of pure descent, fall within the meaning attached in the Statute of 1870 to the term "Natives of India"?—No.

100. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed?—Yes; they ought both to be open to all.

VI.—Pay, Leave, and Pension for Natives of India appointed to Covenanted posts otherwise than through the channel of competition in England.

102. Is the rate of pay at present granted to Statutory Civilians during probation and on final appointment respectively sufficient?—No, it is not sufficient.

103. If not, on what grounds do you consider it insufficient, and what rates of pay should, in your opinion, be granted to Statutory Civilians (*a*) while on probation, and (*b*) on final confirmation in their appointments?—It is insufficient as regards the position and the necessary expenses of such officers, and ought to be the same as that drawn by English Civilians.

104. Would these rates of pay be suitable in the case of persons appointed to Covenanted posts from the Uncovenanted Service?—Yes.

105. Would they be suitable in the case of persons appointed to Covenanted posts from the professional classes?—Yes.

108. Do you consider that a difference should be maintained between the rates of pay granted to Covenanted Civilians who enter through the competitive channel in England and to persons holding Covenanted posts who do not enter through that channel?—No.

110. Would you approve of an arrangement by which the pay of appointments would be a fixed sum to be drawn by the holder, whether he is a Covenanted or a Statutory Civilian, with an additional staff allowance to be drawn by those only who enter the service through the examination in England?—Yes.

111. Can you suggest any other way of providing different rates of pay?—No.

112. If you consider there should be no difference of pay, how do you justify the application of the same rates of pay in the case of Natives who have satisfied the very high tests required by the examination in England and Natives who have not?—The difference in pay is not advisable, because both classes of Native officers will have the same amount of work to do, and the pay should always be proportionate to the amount of work.

113. On the same assumption, what are your reasons for holding that the high rate of pay which is considered to be necessary to secure the services of persons of tested qualifications in a country far from their homes, and under various other unfavourable conditions, should be given to persons whose qualifications have not been so tested and who serve in their own native country?—Every man should possess high qualifications, which may or may not be tested. Government should only provide for the expenses of its officers. Difference in pay is not advisable.

114. Have you any remarks to make on the leave rules embodied in the Civil Leave Code which apply to Statutory Civilians?—No.

115. At what age do you consider that Natives appointed to Covenanted posts otherwise than through the competitive channel in England should be entitled to retire on pension?—At the same age as is prescribed for Native Civilians.

VII.—General.

121. How far is the existing system of education in the higher schools and colleges in India well adapted for training young men to the public service? Can you suggest any improvements?—The existing system of education, though defective, is sufficiently useful for the public service.

122. In 1854 Lord Macaulay's Committee were of opinion that the best, the most liberal, and the most finished education to be procured in England was a necessary qualification for admission to the Civil Service. Do Indian schools and colleges at present supply an education of so high a standard?—No.

123. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—No.

124. Do we now obtain for Government service Natives of the classes who, under Native rule, carried on the civil administration of the country?—No.

125. If not, where must we look for representatives of these classes, and how do you consider that their services could be best obtained?—The representatives of these classes must be looked for from the well-educated gentry capable of rendering good service to the State.

126. How far would any system of appointment which involves a journey to and residence in England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—Such a system is surely open to objection: visiting England should not be made compulsory.

127. How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to and residence in England?—The system is not objectionable on that ground.

128. Are the Natives who go to England for purposes of education from your province limited to the wealthier classes?—No.

129. Are they limited to any particular section of the community or to any particular creed?—No.

130. Does a voyage to or residence in England involve the loss of social position or other unfavourable consequences in the case of any section of the Native community?—Such a voyage has led to unfavourable consequences.

131. Does it result in placing those Natives who undertake it more or less out of touch and sympathy with their fellow-countrymen on their return to India?—The fact has not been fully shown by experience; but residence in England does result in loss of touch and sympathy.

132. Would the requirement of a temporary residence in England as a condition precedent to or

following on appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—Yes.

133. If the Statutory system is discontinued, should special provision be made for the appointment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to and residence in England?—The same provision should be made for such Natives as is made for English Civilians.

135. If the Statutory system is discontinued, do you consider that special provision should be made for the appointment to Covenanted posts of capable members of the professional classes?—Such provision will also involve practical difficulties.

137. Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family subject to such antecedent guarantees of fitness as may be considered sufficient in each case?—Yes; such general power ought to be reserved to Government.

138. Ought similar power to be reserved to Government to appoint to Covenanted posts persons who have proved their merit and ability in Government service, or in the exercise of a profession, without preliminary examination or competition?—Yes.

139. If a thorough knowledge of English were made an essential qualification for appointment to Covenanted posts, would the field of selection in the case of persons already in the Uncovenanted Service, or engaged in the exercise of a profession, be unduly limited thereby?—Yes.

140. If such is likely to be the case, could the difficulty be obviated by requiring proficiency in the English language to be tested by periodical examinations after selection but during a probationary period?—No.

141. Should provision be made for the occasional appointment in very special and exceptional cases to Covenanted posts of persons of known ability and local influence whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grades for political or other reasons?—Yes; Government ought to have ample powers to meet all such special cases.

142. Would it be desirable to rule that the proportion of persons being Mahomedans and Hindus respectively, who are from time to time or over a series of years appointed to the Covenanted ranks in any province, should bear a certain relation to the number of the two classes composing the population of the province concerned?—No.

144. How far should appointments in each province to Covenanted posts be restricted to Natives of the province concerned?—Need not be restricted to the Natives of the provinces concerned.

145. How would the following scheme be regarded by the Native community?—(1) The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only; (2) the appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible?—The scheme would not be generally approved.

146. How would you regard such a scheme?—I would disapprove of it.

147. How would the Native community regard the following?—(1) The Covenanted Civil Service to be reduced to a fixed number of appointments to be filled by competition in England, to which Natives and Europeans alike would be admitted; (2) the appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible?—The scheme would be generally approved.

148. How would you regard such a scheme?—The scheme is a good one; but differences in pay, pensions, &c., should not be allowed.

149 and 150. If either of the above schemes were adopted, how would the Native community view a proposal to combine the higher appointments of the Uncovenanted Service with the appointments taken from the Covenanted Civil Service so as to form an enlarged Civil Service to be recruited in India? How would you view such a proposal?—The proposal would be generally approved.

151. How would the Native community regard the following scheme?—(1) A certain number of appointments in the Covenanted Civil Service to be reserved for Natives; (2) a certain proportion of that number to be filled by competition or by some other system in India; (3) the remainder to be filled by competition in England?—The scheme would be disapproved.

152. How would you regard such a scheme?—I think the same.

153. Assuming a system of nomination or of limited competition among nominated candidates, would Native opinion be in favour of giving a preference, as between candidates possessed of certain preliminary essential qualifications and having on general grounds fairly equal claims in the following or any other order, to (*a*) members of families of tried loyalty and distinguished service; (*b*) persons of good social status and influence in the country; and (*c*) persons of superior educational attainments, such as persons who have taken the degree of M.A.?—No preference ought to be given in respect of pay, pension, &c.

155. How would the Native community regard a system of nomination on the ground of merit and ability shown in the service of Government, or in the exercise of a profession, alternating with a system of selection by means of competition, whether entirely open or amongst nominated candidates?—Such a system would be generally approved.

156. How would you regard such a system?—I approve of it.

157. If the Statutory system were maintained, and if a probationary period were required from nominees or selected candidates before final ap-

pointment, would it be necessary to insist upon such probationary period in all cases,—*e.g.*, in the case of a person who has done good service in the Uncovenanted ranks?—No.

158. In the case of persons nominated from the professional classes, is it desirable that a probationary period should be prescribed?—Yes, one year.

159. If so, is it necessary that the incidents of such period as to duration and pay should be the same as those attached thereto in the case of Statutory Civilians appointed on probation to the lowest grade of the Covenanted Service?—Yes.

160. On what principles should the promotion of Natives appointed to Covenanted posts otherwise than by the channel of the competition in England be regulated?—The principles of promotion for the Natives should be the same as for English Civilians.

161. Would you regulate such promotion only by considerations of fitness and approved personal merit?—Yes.

162. Should subjects of Native States be eligible for appointment to Covenanted posts in British India?—They should be eligible for such appointment.

163. If so, should this be extended to all Native States in alliance with the Crown, or only to those in subordinate alliance?—Yes, it should be extended to all such Native States.

164. What system, if any, is at present adopted in your province for bringing into the public service persons who, from their position or otherwise, cannot be expected to enter the service of Government in the lowest grades, and for giving them the necessary apprenticeship?—I do not know of any system being adopted in my province.

VIII.—Composition, Recruitment, &c., of the Subordinate Executive and Subordinate Judicial Services.

166. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services respectively regarded by influential sections of the Native community?—The system is generally approved.

167. To what sections of Native society do the persons belong who accept, under existing conditions, appointments in the Subordinate Executive and Subordinate Judicial Services respectively?—To no particular sections.

168. To what extent do Natives of good family and education in your province offer themselves as candidates for Subordinate Judicial and Executive appointments?—To the extent to which they fail to get appointments in the higher grades of the two services.

169. Do Natives who have been to England for purposes of study on their return to India willingly accept such appointments?—No.

170. How far are the professional classes represented in the Subordinate Executive and Subordinate Judicial Services respectively in your province?—I do not know.

171. Do members of the professional classes in your province readily accept employment in those services?—They do readily accept such employment.

172. Whatever system or systems may at present be adopted for the purpose of regulating appointments to the Subordinate Executive and Subordinate Judicial Services respectively, are any class or classes of persons expressly or partically excluded from such appointments?—No.

173. If so, how is such exclusion justified?—Such exclusion is not justifiable.

174. Is it the case that certain classes of Uncovenanted appointments are practically reserved for Natives of pure descent owing to the fact that conditions are imposed which have resulted in shutting out Eurasians and other Statutory Natives of mixed descent?—No.

176. Are you in favour of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the Subordinate Executive and to the Subordinate Judicial Services as defined for the purposes of these questions?—No such rule is required.

178. Do you think that the test should vary according to the character of the office to be filled?—It should so vary as to satisfy the Government as to the fitness of the candidates.

179—80. Generally, what system do you advocate for filling appointments in the Subordinate Executive and Subordinate Judicial Services as above defined? What preliminary qualifications would you require on the part of candidates for those appointments in regard to age and in other respects?—The existing system.

181. Is it possible to devise any one system which would be equally applicable to all provinces, having regard to the varying educational standards reached in the several provinces and the varying conditions prevalent therein?—Impossible.

182. Do you advocate the requirement of a probationary period; and, if so, what should be the incidents of such period as to duration, pay, and in other respects?—A probationary period is needed for those only who enter the service for the first time.

183. Would you require a probationary period in all cases, or would you dispense with it in certain, and, if so, in what cases?—The probationary period of one year with small pay would suffice.

184. If an open competitive examination were held in India for the Covenanted posts reserved for Natives, would persons who gained high marks in that examination and showed decided proficiency, but who failed to secure a place amongst the successful candidates, form suitable nominees for Subordinate Judicial and Executive appointments in the Uncovenanted Service?—Should be nominated if they desire it.

No. III.

BABU HARNAM CHANDAR SETH, DEPUTY COLLECTOR OF BUDAUN, NORTH-WESTERN PROVINCES.

I.—Working of the existing Statutory System.

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1. What is the prevalent feeling in your province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general, or is it confined to certain sections of the community?—The feeling believed to be prevalent is one of dissatisfaction. But it is not, and indeed cannot be, general. It is, and very naturally so, confined to the classes who have availed themselves most of the English education and civilisation of the day, and have thereby come to recognise their rightful privileges and claims.

2. What are the grounds upon which any such feeling is based?—Such feeling appears to be based mainly on two grounds: (*a*) the very inadequate proportion allotted to Native candidates for admission to the service as compared with nominations in the same year of English nominees, and (*b*) the selections made in the beginning of the system were not in every case made so as to convince the people that educational attainments were not overlooked for other considerations.

3. Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic., Cap. 3, Section 6), or is it directed against the rules framed thereunder?—Only against the rules framed under the Statute and not against the Statute itself.

6. If a desire is felt for enrolment in a general service, what are the reasons for this desire?—No such desire seems to be felt.

7. What amendments do you advocate in Section 6 of the Statute?—None.

8. Do you consider that Section 6 of the Statute supplies such a definition of the words "Natives of India" as describes with sufficient clearness, fulness, and accuracy the various classes of persons for whose appointment to Covenanted posts it is desirable to provide?—The existing definition of "Natives of India" is sufficiently clear, full and accurate, and requires not the least change.

9. If not, can you suggest any more complete or more satisfactory definition?—No suggestions.

10. If the objections are directed against the rules framed under the Statute, do they relate to the mode or modes of selection actually adopted?—Yes; the objection refers to the mode of selection actually adopted, especially in the earlier years after the introduction of the system.

11. Do they relate to the general conditions in regard to pay, promotion, and retiring annuity under which Statutory Civilians hold their offices?—Yes; the objections relate to no inconsiderable extent to the conditions in regard to pay and promotion.

12. Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objections which may be felt to them?—The only amendment that would positively remove all reasonable objections would be to equalise the proportion of Natives nominated to the number of Civilians appointed by Her Majesty's Secretary of State for India.

13. Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted officers?—Yes, with great difference.

14. If so, on what grounds?—Because the general hope is that in time the Statutory Civilians will rise to the same positions as their Covenanted brethren.

15. How is the present Statutory system regarded by members of the Uncovenanted Service?—The members of the Uncovenanted Service regard the Statutory system with combined respect and esteem, and bear no grudge at all, the more so as they get in return due esteem at the hands of the members of the Statutory system.

16. Do competitive Civilians, English and Native, and members of the Uncovenanted Service respectively stand on a footing of cordiality with Statutory Civilians, or is there any friction between them?—There has been no sufficient experience in this province of a Native competitive Civilian to enable me to express an opinion; but comparing together the English competitive Civilians and the Statutory Civilians, it is generally supposed that full cordiality between the two is yet wanting, whereas members of the Uncovenanted Service are believed to stand on a footing of cordiality with Statutory Civilians.

17. Has the Statutory system had the effect of securing men who, in point of education or natural ability, are superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service?—Supposing the "average" to refer to Uncovenanted officers of the old type and old school, ignorant altogether of English and unblessed with a regular English education, there can be no doubt that the Statutory system has secured better men; but if the enlightened members of the higher ranks of the Uncovenanted Service be considered, it might be confidently said that that department of the service is not altogether wanting in as good men as the new system has secured.

18. Has the result of the Statutory system been to secure the services of men of better social position and better family than those who usually accept posts in the Uncovenanted Service?—Nominations made in the first two years of the Statutory system (so far as is known of this province) secured men of better social position and better family; but the selections since made have not in every case been in favour of men who may be held unrivalled in this respect by most of the members of the Uncovenanted Service.

NOTE.—The numbering of the questions is according to Set D.

II.—Mode of Selection of Statutory Civilians.

19. On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your province?—Appointment to the Statutory Service by nomination is indeed commendable, and will, it is hoped, be regarded with satisfaction by influential sections of the Native community, inasmuch as it is believed to favour only men fit for the rank both by birth and by acquirements, whereas any open competition would, it is feared, ignore the former.

20. How would a system of nomination to be followed by a period of probation be regarded by the same classes?—Probation would be unobjectionable.

21. Would a system of nomination, with or without probation, be likely to secure well-qualified persons?—A system of nomination with probation would be likely to secure well-qualified persons: without probation the system could not be recommended.

22. Has experience actually shown such a system to secure well-qualified officers?—Yes.

23. Do you consider that nominations should be confined to persons of proved merit and ability?—Yes.

24. If so, how do you consider that merit and ability should be held to have been proved for this purpose?—Satisfactory proof of respectability and social position might be had by enquiry through district and divisional officers, and this would go in support of "merit." Production of testimonials of the Educational Department would suffice to prove ability.

25. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded?—Would not be objectionable.

26. In preference to either of the above systems (nomination and limited competition), would a system of open competition, pure and simple, for the Statutory Service commend itself to the Native community?—No, because open competition would make no distinction in regard to social position.

27. If competition (whether limited or open) is preferred, should there be one competition for all India or separate competitions in each province?—Limited competition should be separate for each province.

28. If there were only one general competition, how would you ensure a due proportion of appointments falling to the population of the several provinces?—I am not in favour of one general competition for the whole of India.

29. Having regard to the varying educational standards reached in the several provinces, and the varying conditions prevalent therein, is it possible to have any one system of selection for all India which would not result in the inhabitants of some provinces being more or less excluded from a due share of appointments?—I would recommend that the system of selection should be adapted to the conditions and circumstances of each province separately.

30. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age; (2) intellectual capacity; (3) moral, social, and physical fitness?—Yes.

31. If so, what should be the tests under each of the heads specified?—The tests may be: (1) *Age.*—Not under twenty-two and not over twenty-five years. (2) *Intellectual capacity.*—At least up to the B.A. standard. (3) *Moral, social, and physical fitness.*—May be ascertained through divisional, district, and medical officers.

32. Do you consider that (after selection, whether by nomination or competition) there should be a period of probation?—A period of probation is necessary.

33. If so, what should be the duration of the probationary period?—Two years.

34. Should the period of probation be passed in the ranks of the Uncovenanted Service, or of the Covenanted Service, or in what other manner?—In the Covenanted Service.

35 & 36. Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training? If so, should the special training be carried out in India or in England?—Experience has already shown special training to be unnecessary.

37. If in India, would it be possible, and, if possible, advisable to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England?—No.

38 to 41. If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service? If so, what form should such encouragement take? Should it be offered before, or during, or after, the probationary period, if any, through which nominees or selected candidates may be required to pass? Should it be offered before or after the nominees or selected candidates enter on their duties?—The visit to England should be left at the nominee's own option, because, if made compulsory, it would be throwing an obstacle in the way of most Hindu candidates of the higher classes.

42. Are you in favour of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service?—Yes, but only for Natives who go to qualify for the Civil Service.

43. If so, how would you connect such a scheme with the selection of Natives for employment in the higher administrative posts in India?—No suggestions.

44. Do you think that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England or have gone to England to add to their qualifications and those who have not?—There should

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be no distinction, because Section 6, 33 Vic., Cap. 3, does not make it binding on the nominees to visit England.

45. If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent?—Not by the higher classes of Hindus in these provinces.

46. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—As all classes of Natives would not be prepared to proceed to England, I do not see the necessity of revising the system of examination there, and would recommend the extension of the Statutory system.

47. If so, to what appointments or classes of appointments would you restrict the latter system, and what conditions over and above those already existing would you impose?—I recommend no change.

III.—Competition in England for the Indian Civil Service.

48. Is competition of Natives in the examination in England favourably looked upon by large and important classes in India?—No; it is not looked upon favourably in this part of the country; and that this is the case is sufficiently borne out by the fact that since the opening of the competitive system this province has hardly ever been represented there. But it is believed that important classes in other provinces are not generally against the system, and view it rather favourably. But it would have been more popular if the restrictions as to the age of candidates had not been so unsuitable to the circumstances of the Natives as almost to bar all chance of their competing successfully; and this has often been the subject of loud complaint by the leading members of the higher and advanced classes.

49. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition?—Yes; it would be most advisable to do so.

50. If so, what form or forms should such facilities take?—The facilities which seem to be so much called for, and which could with advantage be given, are: (1) To modify the present restrictions as to age, and to revert to the old limit of "not exceeding twenty-two years." (2) To make efficient arrangements to watch the morals of the Indian youths and guard them against all possible temptations, so that their friends in India may have, directly or indirectly, the assurance and satisfaction of knowing that in parting with their sons they do not run the risk of exposing them to loss of their original society by change in their creed and customs. The arrangements thus recommended should be something like those which Lord Northbrook's Club, lately established in England, promises to provide. (3) Award of handsome scholarships.

51. What conditions, if any, should be attached to them?—The only conditions that may be attached to any of the facilities given should be in respect of scholarships, which should not be regarded as a prize for a visit to England, but should be governed by the results of the periodical examinations there.

52. What is your opinion as to giving Statutory appointments to Natives who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition?—I am in favour of giving Statutory appointments to such Natives, and think it would be not only an encouragement but a deserved relief.

53. Assuming it to be advisable to appoint to the Statutory Service in India Natives who have failed in the English competition, should such persons receive the same training as successful candidates in England and be subject to the same final examination?—Certainly; they should receive the same training and be subject to the same final examination.

54. Should they, on appointment to the Statutory Service in India, be subject to the same incidents as apply to other persons appointed under the Statutory rules?—Yes, just in the same way.

55. Can you say what number of Natives belonging to your province have presented themselves annually at the competitive examination in England, and what degree of success they attained?—So far as I know, none.

56. What class or classes of Natives in your province readily go to England?—Some Mahomedans, especially those trained in the Aligarh Mahomedan College.

57. Are objections entertained to going to England; and if so, what are they, and by what classes in particular are they felt?—Yes, that a visit to England interferes with their religion and eventually throws them out of their society: the higher classes among Hindus in particular feel the objections. Almost the same may be said of the Mahomedans, excepting only the new reformers among them.

58 to 60. Should the examination for natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all? If the standards and conditions were different, how would it be possible to compare the results in the two examinations so as to bring out one list in order of merit? Would it, under such circumstances, be desirable to allot a fixed proportion of appointments to each of the two examinations?—There should be one and the same examination for the Native as well as the English candidates.

61. If a fixed proportion of appointments were allotted for a Native examination in England, do you consider that, in view of the objections against a voyage to England and life there, the cost thereof and the chances of failure, a sufficient number of suitable candidates from your province would be available to make the competition a real competition?—I do not think so, at least for some years to come.

62 & 63. If the examinations were distinct, what should be the limits of age for the Native examination? What should be the conditions, nature, and subjects of the separate Native examination?—I am not in favour of distinct examinations.

64. Assuming ony one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates?—The disadvantages most felt by Native candidates are: (1) The narrow restriction as to age, *viz.*, nineteen years; (2) the inclusion, among the subjects of examination, of Latin, Greek, &c., which are foreign languages, and which do not form any necessary element in the qualifications required for Indian administration.

65. If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage?—In view of the natural climatic and peculiar circumstances of the country, it is, I fear, too much to expect a Native candidate to have fully acquired all the necessary qualifications for admission to the Civil Service and to have attained to that degree of sound judgment and maturity which would enable him to compete successfully in a foreign land with members of the ruling race at the present early age.

Again, it is also too much to expect of the Native candidates that, in addition to the languages of their country and the English language, which is also to them a foreign language, they should needlessly be compelled to learn Greek or Latin and the like. So far as can be gathered from the experience of the Native and English officers now in service in the country, it appears that ignorance of these in the one and acquaintance with them in the other, entail no susceptible results, good or bad, in the conduct of their official duties. I would, therefore, raise the standard of age to twenty-two years, and omit altogether the foreign languages, Latin, &c., from the list of subjects.

66. If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates; and, if so, what should the limits for Native candidates be? If higher limits of age were fixed for Native than for European candidates, might not the latter complain that they were placed at a disadvantage?—The limit of age should be the same for both; say twenty-two years.

68. What is the average age at which Natives at the Indian Universities pass the examinations for F.A., B.A., and M.A. respectively?—The average ages at which Natives of this province at the Indian Universities pass the several examinations may be enumerated as below:—

F.A. . .	18 years.	Exclusive of special cases.
B.A. . .	20 „	
M.A. . .	22 „	

69. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your province?—Mostly from among the educated, well-to-do higher classes of Hindus and Mahomedans.

IV.—Competition in India for the Indian Civil Service.

70. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—I am quite opposed to the policy of starting in India competition for the Indian Civil Service. To me such a system seems to be quite inadvisable both on political as well as on administrative grounds. The object of Government in taking up the question now under consideration is to raise the status of the Indians and to promote their welfare; but I fear the results of competition in India would be quite the reverse of what might be expected, and there would be an undue preponderance of some classes over others.

V.—Promotion from the Uncovenanted Service.

95. To what extent does the Uncovenanted Service in your province include in its ranks persons eligible on the ground of proved merit and ability, for appointment to offices ordinarily reserved for members of the Covenanted Civil Service?—Assuming that a sufficient knowledge of the English language is an essential factor of the qualification and ability required for the purpose, it may be confessed that the existing staff of the Uncovenanted Service does not include, to any considerable extent, persons eligible for posts reserved for members of the Covenanted Service. But still there are in this province at the present day some Uncovenanted officers of proved merit and ability who can safely be recommended as eligible for promotion to posts reserved for the Covenanted members of the service.

96. If there are such persons in the Uncovenanted Service, could they be appointed to the lowest grade of the Covenanted Service without suffering in pay?—No, it would be discouraging.

97. Under existing rules as to pay, &c., how would such appointment be regarded by Uncovenanted officers? Do you think they would be willing to forego pay for the sake of the advantages which admission to the Civil Service might afterwards bring?—Speaking generally admission into the Civil Service would be liked well by the Uncovenanted officers; but such of them as are already advanced in years would not, and naturally could not be expected to forego pay for the sake of future advantages; whereas the case will be the reverse with the younger members of the service who have ambition and energy.

98. What special provision, if any, do you think should be made for the appointment to Covenanted posts of deserving members of the Uncovenanted Service?—A certain proportion of the probable appointments should be reserved for them annually,—for instance, for the North-Western Provinces and Oudh to begin with, allot, say, three places for them per annum.

100. If such appointments are made, should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service; and, if so, what classes?—I would restrict such appointments to Subordinate Judges and Deputy Collectors.

101. Should persons so appointed be appointed provisionally and be required to pass through a period of probation before final confirmation?—

No; their proved merit in the Uncovenanted line must be held sufficient to warrant their confirmation without any further probation.

102. Should provision be made for the appointment of qualified members of the Uncovenanted Service to the higher Covenanted offices without requiring them to pass through the lower grades?—So far as may be practicable they should not be made to pass through the lower grades, and the more so when there is already reason to believe that they are competent enough to do justice to their appointment in the higher grades.

103. If certain appointments in the Covenanted grades are set apart for the Statutory Service, should a fixed proportion of those appointments be expressly reserved for persons of proved merit and ability in the Uncovenanted Service?—As the policy of Government is believed to be to allow Her Majesty's Indian subjects a greater share in the administration of the country, I suppose that, in addition to, and apart from, the appointments set apart for the Statutory Service, a certain proportion of appointments should be reserved for persons of proved merit and ability in the Uncovenanted Service.

104 & 105. Should special provision be made for the promotion to Covenanted posts of European members of the Uncovenanted Service? Should special provision be made for the promotion to such posts of Eurasian or other members of the Uncovenanted Service who, though not Natives of pure descent, fall within the meaning attached in the Statute of 1870 to the term "Natives of India"?—No special provision seems called for. They may be governed by the same provisions as proposed for Natives in the foregoing answers.

106. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed?—Yes; it ought to be open equally to all natural-born subjects of Her Majesty who possess the requisite qualifications.

107. If the Uncovenanted Service is closed to any natural-born subjects of Her Majesty, on what grounds, bearing in mind the terms of Acts of Parliament and Her Majesty's Proclamation of 1st November 1858, is this to be justified?—No; it should not be so closed.

VI.—Pay, Leave, and Pension for Natives of India appointed to Covenanted posts otherwise than through the channel of competition in England.

108. Is the rate of pay at present granted to Statutory Civilians during probation and on final appointment respectively sufficient?—No; it is not sufficient.

109. If not, on what grounds do you consider it insufficient, and what rates of pay should, in your opinion, be granted to Statutory Civilians (*a*) while on probation, and (*b*) on final confirmation in their appointments?—I consider the rate insufficient because the lowness of the rates, even as compared with those of Uncovenanted posts, would make the appointments much less respected than they ought to be, and they would not be very popular among the candidates themselves. I would, therefore, suggest Rs. 250 while on probation, Rs. 300 after passing the lower standard, and thereafter 75 per cent. of the pay of a Covenanted Civilian holding the same post.

110. Would these rates of pay be suitable in the case of persons appointed to Covenanted posts from the Uncovenanted Service?—Yes; I think the 75 per cent. rule would be sufficient in their case too.

111 & 112. Would they be suitable in the case of persons appointed to Covenanted posts from the professional classes? If not, how would you treat, in regard to pay, persons selected from these classes if appointed to the lowest grade of the Covenanted Service?—Yes; the three rates given in answer to question No. 109 would be enough for them.

113. How would you treat, in regard to pay, such persons if appointed to any of the higher Covenanted posts without being required to pass through the lower grades?—Here, too, I propose the 75 per cent. rate.

114. Do you consider that a difference should be maintained between the rates of pay granted to Covenanted Civilians who enter through the competitive channel in England and to persons holding Covenanted posts who do not enter through that channel?—Yes; it is desirable.

115. If so, what would you consider the fair rate of reduction to be made in the case of persons holding Covenanted posts who do not enter through the competitive channel in England?—Twenty-five per cent. would be the fair rate of reduction to be made.

116. Would you approve of an arrangement by which the pay of appointments would be a fixed sum to be drawn by the holder, whether he is a Covenanted or a Statutory Civilian, with an additional staff allowance to be drawn by those only who enter the service through the examination in England?—Unnecessary.

117. Can you suggest any other way of providing different rates of pay?—Unnecessary.

120. Have you any remarks to make on the leave rules emobodied in the Civil Leave Code which apply to Statutory Civilians?—No; I have no suggestions to offer.

121. At what age do you consider that Natives appointed to Covenanted posts otherwise than through the competitive channel in England should be entitled to retire on pension?—At the age of fifty-five years.

122. After what length of service do you consider that such persons should be entitled to retire on pension?—After twenty-five years.

123. At what age should they be obliged to retire on pension?—After sixty years of age.

124. After what length of service should they be obliged to retire on pension?—Thirty-five years of service.

125. What amount of pension should, in your opinion, be granted to Natives so appointed if they

serve the prescribed period for voluntary and compulsory retirement respectively?—The present rates of Rs. 5,000 and Rs. 6,000 per annum are ample.

126. If, before serving the prescribed period for pension, they are compelled to retire on medical certificate, what gratuity, if any, would you give them?—The scales prescribed in the existing rules are sufficient.

VII.—General.

127. How far is the existing system of education in the higher schools and colleges in India well adapted for training young men to the public service? Can you suggest any improvements?—I can find no drawback in the existing system of education, and believe that the higher schools and colleges now in existence afford enough of what is required for training young men for the public service in India. I see no room for any suggestions towards improvement.

128. In 1854 Lord Macaulay's Committee were of opinion that the best, the most liberal, and the most finished education to be procured in England was a necessary qualification for admission to the Civil Service. Do Indian schools and colleges at present supply an education of so high a standard?—The Indian colleges now supply as high an education as could be expected or desired, and I fear the opinion expressed by Lord Macaulay's Committee in 1854 is now too old to apply to the greatly improved condition of things at the present day.

129. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—Of course they do, and their highly-educated pupils prove this to be the fact.

130 & 131. Do we now obtain for Government service Natives of the classes who, under Native rule, carried on the civil administration of the country? If not, where must we look for representatives of these classes, and how do you consider that their services could be best obtained?—There were no particular classes who, under Native rule, carried on the civil administration of the country. They used to be mostly taken from the higher classes of the community; but preferment was never restricted to any particular sect, creed, or race; and it may be safely said that most of those who in olden times had a hand in the Indian administration were at least the class-fellows, if not the forefathers, of many who now serve the Indian Government. The past history of the country shows to what a remarkable extent experience, ability, and personal merit were valued and appreciated by the former rulers; and the very able and loyal services rendered by Raja Todar Mal and Man Singh and others in the days of the great Akbar fully prove the capabilities of the Indian mind. But there is one thing worthy of remark, and it is that the usefulness of the great men of those days was much advanced by the very great confidence, credit, and liberty of action they had the good luck to enjoy on behalf of their masters, and as a matter of fact without these and similar concessions they would never have left such shining pictures of their doings behind them as we have now on record. It would not be mere pride to say that the Natives whom Government now has in its service come really of the same stuff; but the little weakness so often noticeable in them is only due to the fact that they do not, like their ancestors, generally enjoy great liberty, credit, and confidence; and the result is that they lose confidence in themselves and cannot display their administrative powers to the full extent of their natural ability.

132. How far would any system of appointment which involves a journey to and residence in England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—Such a system would be open to objection to a very considerable extent on the ground given, and it is one which, it is believed, will not be overlooked, at least for some years yet to come.

133. How far would such a system be regarded as open to objection on the ground that it restricts the field of selection of those candidates who are wealthy enough to undertake the cost of a journey to and residence in England?—The question here raised is no ground for objection.

134. Are the Natives who go to England from your province for purposes of education limited to the wealthier classes?—No.

135. Are they limited to any particular section of the community or to any particular creed?—Natives who have hitherto gone to England were, with few exceptions, the sons or relations of persons holding high rank in the Government service.

136 to 138. Does a voyage to or residence in England involve the loss of social position or other unfavourable consequences in the case of any section of the Native community? Does it result in placing those Natives who undertake it more or less out of touch and sympathy with their fellow-countrymen on their return to India? Would the requirement of a temporary residence in England as a condition precedent to, or following on, appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—The difficulty affects Hindus generally as well as Mahomedans who represent the old religious type.

139. If the Statutory system is discontinued, should special provision be made for the appointment to Covenanted posts of Natives who, for religious or other sufficient reasons, are unable or unwilling to undertake a journey to and residence in England?—In the first place, I am not in favour of discontinuing the Statutory system; but if ever it be decided to discontinue it, I think special provision should necessarily be made to meet the case of the Hindu community.

140. If so, what provision should be made for this purpose?—A certain number of appointments should be reserved for the most deserving among them on the lines of the suggestions made in answers to questions under section II.

141 & 142. If the Statutory system is discontinued, do you consider that special provision should

be made for the appointment to Covenanted posts of capable members of the professional classes? If so, what provision should be made for this purpose?—Such provision, if any, would not be popular, and would be rather irritating.

143. Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family, subject to such antecedent guarantees of fitness as may be considered sufficient in each case?—By all means.

144. Ought similar power to be reserved to Government to appoint to Covenanted posts persons who have proved their merit and ability in Government service, or in the exercise of a profession, without preliminary examination or competition?—Yes; there would be no objection to this.

145 & 146. If a thorough knowledge of English were made an essential qualification for appointment to Covenanted posts, would the field of selection in the case of persons already in the Uncovenanted Service or engaged in the exercise of a profession be unduly limited thereby? If such is likely to be the case, could the difficulty be obviated by requiring proficiency in the English language to be tested by periodical examinations after selection but during a probationary period?—No; a thorough knowledge of English must be an essential qualification for such appointment, and it will not unduly limit the field for service.

147. Should provision be made for the occasional appointment in very special and exceptional cases to Covenanted posts of persons of known ability and local influence whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grades for political or other reasons?—It must rest with Government to decide, and the Native public can have no voice in the matter.

148 & 149. Would it be desirable to rule that the proportion of persons, being Hindus and Mahomedans respectively, who are from time to time or over a series of years appointed to the Covenanted ranks in any province, should bear a certain relation to the number of the two classes composing the population of the province concerned?—No; such provision would be fair.

150. How far should appointments in each province to Covenanted posts be restricted to Natives of the province concerned?—Entirely.

151 & 158. How would the following scheme be regarded by the Native community?—(1) The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only; (2) the appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible? How would you regard such a scheme? How would the Native community regard the following?—(1) The Covenanted Civil Service to be reduced to a fixed number of appointments to be filled by competition in England, to which Natives and Europeans alike would be admitted; (2) the appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible? How would you regard such a scheme? If either of the above schemes were adopted, how would the Native community view a proposal to combine the higher appointments of the Uncovenanted Service with the appointments taken from the Covenanted Civil Service so as to form an enlarged Civil Service to be recruited in India? How would you view such a proposal? How would the Native community regard the following scheme?—(1) A certain number of appointments in the Covenanted Civil Service to be reserved for Natives; (2) a certain proportion of that number to be filled by competition or by some other system in India; (3) the remainder to be filled by competition in England. How would you regard such a scheme?—Not commendable.

159 & 160. Assuming a system of nomination or of limited competition among nominated candidates, would Native opinion be in favour of giving a preference, as between candidates possessed of certain preliminary essential qualifications and having on general grounds fairly equal claims, in the following or any other order, to (*a*) members of families of tried loyalty and distinguished service; (*b*) persons of good social status and influence in the country; and (*c*) persons of superior educational attainments, such as persons who have taken the degree of M.A.? What is your opinion as to giving such preference?—Such preference would be favourably viewed by all.

161 & 162. How would the Native community regard a system of nomination on the ground of merit and ability shown in the service of Government, or in the exercise of a profession, alternating with a system of selection by means of competition, whether entirely open or amongst nominated candidates? How would you regard such a system?—Open competition would be objectionable.

163. If the Statutory system were maintained, and if a probationary period were required from nominees or selected candidates before final appointment, would it be necessary to insist upon such probationary period in all cases,—*e.g.*, in the case of a person who has done good service in the Uncovenanted ranks?—No, not necessary.

164 & 165. In the case of persons nominated from the professional classes, is it desirable that a probationary period should be prescribed? If so, is it necessary that the incidents of such period, as to duration and pay, should be the same as those attached thereto in the case of Statutory Civilians appointed on probation to the lowest grade of the Covenanted Service?—No suggestions.

166 & 167. On what principles should the promotion of Natives appointed to Covenanted posts otherwise than by the channel of the competition in England be regulated? Would you regulate such promotion only by considerations of fitness and approved personal merit?—Promotion might generally go, as now, by seniority, except in special cases, where reasons exist to justify seniority alone being overlooked.

168. Should Natives appointed to Covenanted posts be required to pass the departmental examinations?—Certainly.

169 to 171. Should they be required to pass the departmental examinations by both the lower and higher standards within their probationary period, subject to the penalty of forfeiture of appointment if they fail to pass within that time, unless the period is for special reasons extended? or should a period longer than the probationary period be allowed for passing the departmental examination by the higher standard? or should the present rule be maintained under which probationers may be confirmed in their appointments at the close of the probationary period of two years, provided that they pass within that period the departmental examination by the lower standard prescribed for Covenanted Civilians appointed in England, no obligatory period being fixed for passing the higher standard, but no promotion or increase of pay being attainable until the higher standard examination has been passed, and power being retained to the Government to dispense with the services of a Statutory Civilian who may fail to pass by the higher standard within a reasonable time?—No change in the existing rules regarding the departmental examinations is recommended.

172. What rule in regard to passing the departmental examinations should be applied in the case of persons appointed to Covenanted posts on the ground of merit and ability proved in the service of Government or in the exercise of a profession?—In the case of nominees appointed from the higher ranks of the Uncovenanted Service, no de-departmental examination would be necessary, inasmuch as they have already undergone the prescribed examinations in their original line. But for nominees of the professional classes the departmental examinations, if made compulsory, would not be objectionable.

173. Should subjects of Native States be eligible for appointment to Covenanted posts in British India?—Certainly.

174. If so, should this be extended to all Native States in alliance with the Crown, or only to those in subordinate alliance?—Only to those in subordinate alliance.

175 & 176. What system, if any, is at present adopted in your province for bringing into the public service persons who, from their position or otherwise, cannot be expected to enter the service of Government in the lowest grades, and for giving them the necessary apprenticeship? Does the system work well, and what improvements can you suggest?—There are at present only two such systems known in this province, *viz.*, (1) the training of selected candidates as Honorary Deputy Collectors, and (2) training of cadets of good family as Naib Tahsildars. The former has been given a fair trial during the last few years, and the results are encouraging; but the latter system has, it is regretted, not been fully tried to any sufficient extent, and therefore has not been very successful. I would recommend greater attention to the latter experiment on the part of Commissioners of the divisions, and would not leave it entirely in the hands of Collectors.

VIII.—Composition, Recruitment, &c., of the Subordinate Executive and Subordinate Judicial Services.

177. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services respectively regarded by influential sections of the Native community?—The present system is favourably regarded, and the assumption by the Board of Revenue of the control over almost all nominations of Tahsildars has been a decided improvement in the system.

178. To what sections of Native society do the persons belong who accept, under existing conditions, appointments in the Subordinate Executive and Subordinate Judicial Services respectively?—Such persons mostly belong to the well-educated families, or represent those families who, as a profession, have been in the service of the present or former Governments.

179. To what extent do Natives of good family and education in your province offer themselves as candidates for Subordinate Judicial and Executive appointments?—Persons of good family and education who look upon Government service as a profession offer themselves as candidates very often; but others who do not do so, offer themselves but seldom.

180. Do Natives who have been to England for purposes of study on their return to India willingly accept such appointments?—No, so far as I know.

181. How far are such appointments in your province restricted to persons *bonâ fide* resident in (and connected with) the province?—The present staff holding such appointments consists generally of residents of this province.

182. How far are the professional classes represented in the Subordinate Executive and Subordinate Judicial Services respectively in your province?—Rarely so represented.

183. Do members of the professional classes in your province readily accept employment in those services?—No.

184. Whatever system or systems may at present be adopted for the purpose of regulating appointments to the Subordinate Executive and Subordinate Judicial Services respectively, are any class or classes of persons expressly or practically excluded from such appointments?—None can be named.

186. Is it the case that certain classes of Uncovenanted appointments are practically reserved for Natives of pure descent, owing to the fact that conditions are imposed which have resulted in shutting out Eurasians and other Statutory Natives of mixed descent?—Yes; only offices carrying a salary below Rs. 200 are reserved by orders of Government for Natives of pure descent.

187. If so, how is such reservation justified?—Experience proves pure Natives to be more efficient in managing the duties of such offices, and besides this the salary carried by such offices would not in every case honestly satisfy the requirements of most married Eurasians with families and children.

188. What has been the effect on the efficiency of the Subordinate Executive and Subordinate Judicial Services in your province of the orders of the Government of India, dated 18th April 1879,

which debar, unless with the previous sanction of the Governor-General in Council, (1) the appointment of any person, not being a Native of India within the Statutory meaning, to an office carrying a salary of Rs. 200 a month or upwards, and (2) the promotion to such an office of persons, not being Statutory Natives, who entered the department concerned after the 1st January 1879?—Not at all felt as yet.

189. Is it, in your opinion, necessary that there should be a proportion of Europeans either in the Subordinate Executive Service or in the Subordinate Judicial Service, or in both of those services?—In my opinion such proportion is not necessary, but at the same time it is not objectionable.

192. How do European members of the Subordinate Executive and Subordinate Judicial Services respectively work with Native members of those services?—I know of no European members of the Subordinate Executive and Judicial Services in this province.

194. Are you in favour of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the Subordinate Executive and to the Subordinate Judicial Services as defined for the purposes of these questions?—The present system of recruiting for such appointments has worked so successfully during the time it has been in force that I do not see the least necessity of devising any new changes, rules, or restrictions. I am in favour of the same system being allowed to stand.

So far as the interests of the public service itself and those of the people at large are concerned, any changes, however desirable at first sight they may seem, must eventually turn out needless and objectionable. I am the last of those who would assume educational attainments alone as enough to answer the multifarious demands of these subordinate offices. I am under the impression that these offices carry with them far more onerous responsibilities than their rates of pay would seem to justify; and to meet them honestly one must have educational attainments combined with much varied experience, patience, and knowledge of the people, their customs and circumstances, before he can do justice to the office. Any restriction as to age or attainments would therefore fail to secure fit persons, and would, on the other hand, debar, for one reason or the other, most of the deserving, efficient, honest, and experienced hands already in the service, and expecting sooner or later a due consideration by Government of their just claims.

202. If an open competitive examination were held in India for the Covenanted posts reserved for Natives, would persons who gained high marks in that examination and showed decided proficiency, but who failed to secure a place amongst the successful candidates, form suitable nominees for Subordinate Judicial and Executive appointments in the Uncovenanted Service?—I am not in favour of open competition in India, and have therefore no suggestions to offer.

No. IV.

ASSISTANT-SURGEON MUKAND LAL, OF AGRA.

I.—Working of the existing Statutory System.

1. What is the prevalen tfeeling in your province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general, or is it confined to certain sections of the community?—Setting aside the uneducated element in all the communities, who have no political aspirations, and consequently no opinions whatever on this subject, I can with confidence say that the prevalent feeling in the North-Western Provinces regarding the existing Statutory system is that of dissatisfaction—a dissatisfaction which, strictly speaking, is general.

2. What are the grounds upon which any such feeling is based?—The following are the grounds upon which this feeling of general disapprobation is based: (*a*) The present mode of selection of candidates. This, in my opinion, is one of the chief reasons for this general and wide-spread dissatisfaction. The mode of selection at present adopted is not one for which it might be pleaded that it unintentionally overlooks the claims of the fittest, but it is one which is directly antagonistic to the theory of "the survival of the fittest." It is, truly speaking, one of thorough-going favouritism. (*b*) The broad line of distinction which is apparently drawn by Government between the Covenanted Civilians and the Statutory men. The distinctions alluded to above, though of so very little significance in themselves, go a great way in producing ill-feeling between the two sets of Civilians. (*c*) The inequality of pay. This ground, though in itself by no means such as to justify the Natives of India to make a hue and cry over it, yet, looking at it from a practical standpoint, is such as to deserve very careful attention at the hands of the Government. It is a fact that the Statutory Civilians on account of their comparative smallness of pay are looked down upon by the Covenanted men. This statement at first sight might appear childish; but, as far as I can judge, I think it is fully borne out by experience. It would be meaningless only in case all the Covenanted Civilians were model men and all Statutory men philosophers. As increasing the pay of the Statutory Civilians to the same level as that of the Covenanted men must necessarily entail heavy outlay on the part of the Government, I would here suggest what very few men have had the moral courage to express. I would propose that the pay of the already overpaid Covenanted Civilians should be reduced, and then that both sets of Civilians be placed on the same footing with regard to it.

3. Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic., Chapter 3, Section 6), or is it directed against the rules framed thereunder?—The feeling of dissatisfaction is directed simply against the *rules* framed under the Statute (33 Vic., Chapter 3, Section 6).

6. If a desire is felt for enrolment in a general service, what are the reasons for this desire?—I know of no such desire being manifested by the Natives of India in general.

7. What amendments do you advocate in Section 6 of the Statute?—Answered in question 9.

8. Do you consider that Section 6 of the Statute supplies such a definition of the words "Natives of India" as describes with sufficient clearness, fulness, and accuracy the various classes of persons for whose appointment to Covenanted posts it is desirable to provide?—Yes, I think so; in fact, the definition is wider than is desirable for the purpose in hand. In my opinion, appointments to the Statutory Civil Service should be restricted only to persons of undoubted social position and acknowledged merit and ability. This view might not appear quite catholic and philanthropic, but it is, at any rate, one which experience shows to be the only practical and correct one. India as it is, and India for one century at least to come, will not accept for its administration men of low origin. Moreover, if the Statutory Civil Service is laid open to men of all positions in India, it will become more hateful to the Covenanted men, who will have thereby greater facility and better reasons for looking down upon the Natives of India and excluding them from a place in their cordial regard or esteem.

9. If not, can you suggest any more complete or more satisfactory definition?—The definition, as it is, is complete; a more satisfactory one would be—"Natives of India" shall include any person born of *a good family* and domiciled within the dominions of Her Majesty in India, &c.

10. If the objections are directed against the rules framed under the Statute, do they relate to the mode or modes of selection actually adopted?—Already answered in question 2 (*a*).

11. Do they relate to the general conditions in regard to pay, promotion, and retiring annuity under which Statutory Civilians hold their offices?—Yes.

12. Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objections which may be felt to them?—I cannot accurately answer this question, because I have nowhere been able to procure for reference the rules for appointment to the Statutory Civil Service. However, if the grounds of dissatisfaction which I have pointed out in question 2 are removed, and the rules in question are accordingly altered, they will then be rendered more or less satisfactory.

13. Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted officers?—Yes, they do. They think the Statutory Civilians to be more honoured men.

14. If so, on what grounds?—Simply because they understand that the Government have established this service as something superior to and higher than the ordinary Uncovenanted Service.

15. How is the present Statutory system regarded by members of the Uncovenanted Service? —The present Statutory system is regarded by the members of the Uncovenanted Service as an unnecessary and useless something hanging midway between the Covenanted and the Uncovenanted Services. As most of the members of the Uncovenanted Service are Natives of India, they think themselves bound to look up to the Hindustani *Chhota Sahibs* with respect; but in reality they think very little of them. The Statutory Service is no object of ambition with the members of the Uncovenanted Service, but young men of the present day aspire to it for the mere honour of the thing.

16. Do competitive Civilians, English and Native, and members of the Uncovenanted Service, respectively stand on a footing of cordiality with Statutory Civilians, or is there any friction between them?—There is by no means anything like a footing of cordiality between the two sets of Civilians. Members of the Uncovenanted Service are inclined to be cordial to the Statutory men, but the latter would not accept of their cordiality. They prefer to be despised by the Covenanted men, and, in their turn, themselves to despise the members of the Uncovenanted Service.

17. Has the Statutory system had the effect of securing men who, in point of education or natural ability, are superior to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service?—To a great extent it has been so, but cases are not wanting, and this owing to the worthless mode of selection in vogue, where almost illiterate persons have been nominated to the Statutory Civil Service.

18. Has the result of the Statutory system been to secure the services of men of better social position and better family than those who usually accept posts in the Uncovenanted Service?—Undoubtedly so. If the present Statutory system has been in any way successful, it has been in this respect. Men of unquestionably high social position have been secured.

II.—Mode of Selection of Statutory Civilians.

19. On the assumption* that the Statutory system is retained, how would appointment to the Statutory service by nomination be regarded by influential sections of the Native community in your province?—Appointments to the Statutory Civil Service by nomination, proper and just, would not be objected to by the influential sections of the Native community in these provinces; but the system of nomination as at present adopted should be altered. In my opinion every Commissioner should be required to send up annually from his division the name of a qualified candidate; and then the Local Government, after duly considering the various applications received from the different Commissionerships, should, through the medium of a reliable and experienced committee, select *by personal examination* the required number of men from among the aforesaid applicants. Moreover, the names of the several candidates from the different Commissionerships should be published in the Gazette for public information prior to their appearance before the committee which makes the final selection.

20. How would a system of nomination to be followed by a period of probation be regarded by the same classes?—This system of nomination followed by a period of probation would not be objected to.

21. Would a system of nomination, with or without probation, be likely to secure well-qualified persons?—Certainly, yes.

22. Has experience actually shown such a system to secure well-qualified officers?—Yes.

23. Do you consider that nominations should be confined to persons of proved merit and ability? —Yes, I think so. In fact, I would suggest that nominations be confined to persons of proved merit and ability, and *undoubted good family and social position.*

24. If so, how do you consider that merit and ability should be held to have been proved for this purpose?—The present B.A. and M.A. standards of the Calcutta University might be considered sufficient proofs of merit and ability. But these qualifications, although they might enable a candidate to appear as a competitor in the field, ought not to form a sufficient guarantee for securing the appointment. Besides these necessary qualifications, a candidate should also possess that more essential one of "general aptitude." This general aptitude I am speaking of can only be determined by personal examination of candidates by an experienced committee as I have recommended above.

25. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded?—A system of this sort cannot be regarded favourably, inasmuch as it will positively fail to secure the best men for the service. It is not necessary that all those who pass brilliant examinations should turn out good judicial officers, nor is it at all necessary that the man who heads the list at a competitive examination should be the best of his competitors. In India particularly it would fail to secure the best candidates for obvious reasons.

26. In preference to either of the above systems (nomination and limited competition), would a system of open competition pure and simple for the Statutory Service commend itself to the Native community?—Never, for reasons already advanced elsewhere.

30. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age; (2) intellectual capacity; (3) moral, social, and physical fitness?—Yes.

31. If so, what should be the tests under each of the heads specified?—As I am an advocate of

* The questions which follow down to No. 41 inclusive are put subject to the same assumption.

the nomination system, I would specify the following tests under that particular head only: (*a*) The candidate should not be under twenty-one nor over twenty-five years of age; (*b*) he should be a graduate of one of the Indian Universities; (*c*) he should belong to a good family; (*d*) he should be of active habits; (*e*) his character should be unexceptionable; (*f*) he should have a "general aptitude" for the Judicial Service, *i.e.*, he should be imbued more or less with a knowledge of European modes of life and habits of thought. He should have a command over the English language and be able to speak pretty fluently.

32. Do you consider that (after selection, whether by nomination or competition) there should be a period of probation?—Yes, there should be a period of paid probation after selection by nomination.

33. If so, what should be the duration of the probationary period?—Two years are quite sufficient.

34. Should the period of probation be passed in the ranks of the Uncovenanted Service, or of the Covenanted Service, or in what other manner?—In the ranks of the Covenanted Service.

35. Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training?—No.

37. If in India, would it be possible, and, if possible, advisable, to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England?—No.

38. If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the Service?—No; a mere visit to England cannot add materially to their qualifications for the service, though they may benefit considerably in other ways by a visit to England.

42. Are you in favour of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service?—For the Competitive Civil Service in England scholarships would be a very commendable step on the part of the Government.

44. Do you think that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England or have gone to England to add to their qualifications and those who have not?—Certainly not.

45. If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent?—It would no doubt be taken advantage of to a considerable extent; but it is very doubtful whether all or even a majority of the selected candidates who are sent out from India would really utilise their time and materially improve themselves by their stay in a British University. Everybody knows how time is spent in a British University; everybody knows how long the train of holidays is as compared with real class work; and everybody knows how much it rests with the young man himself to work or to be idle. Under these circumstances, then, I should never advise Government, at such great pecuniary risk, to send out selected candidates from India. Many of my intimate acquaintances who have been to England at their own cost, and who, after many years' stay there, have returned to India as graduates and full-blown barristers, from all that I can see and they can show, I am able to conclude that they have done anything but spent their time usefully. They seem to me to ape in a disagreeable fashion European manners and European ways, which, to tell the truth, without professional talents and without something substantial in their heads, appear really a sham, a delusion, and a mockery.

46. If the system of examination in England were revised with the result that Natives availed themselves of it in considerable numbers, would it still be necessary to retain the Statutory system?—Yes, I think it should be retained in token of respect for, and as a compliment to, the conquered race.

47. If so, to what appointments or classes of appointments would you restrict the latter system, and what conditions over and above those already existing would you impose?—In my opinion the Statutory men should get the very same appointments as are offered to Covenanted men, and I see no reason why they should not. Should it be urged against this that men appointed in India are not so able and so good as those who come out from England, I would earnestly protest that, if the mode of selection I have suggested, and if something like the conditions which I have imposed are rigidly enforced, there will be every likelihood of getting in India men in every way equal, and in no way inferior, to those who come out from England. It is true that very few men, at present, of this type will be procured every year in India; but then this is the very thing we want. We wish the Statutory system to be open to a select few from the higher and middle classes of India and the competitive system in England, by altering the standard of age, to remain open to all and everybody. The competitive system in England and the Statutory system in India should be regarded merely as two different avenues leading to the same central bower of the Civil Service of India. The former should be considered as rough and circuitous, the latter smooth and short. The one to be made purposely difficult of access for the raw and the immature, the other to be made intentionally short and easy for those who are deemed already suitable to enter as fit occupants of the bower.

III.—Competition in England for the Indian Civil Service.

48. Is competition of Natives in the examination in England favourably looked upon by large and important classes in India?—It is looked upon favourably, more or less, by all the educated members of large and important classes in India; but however desirous they may be, all of them cannot, owing to caste restrictions, carry out their real intentions. The Mahomedans and the Kayesths can with impunity go to England; but the Banias, the Brahmans, and the Rajputs cannot do

so without running the fearful risk of being put out of caste.

49. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition?—It is only just that it should be so.

50. If so, what form or forms should such facilities take?—The limit of age should be raised to twenty-four.

52. What is your opinion as to giving Statutory appointments to Natives who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition?—Unsuccessful candidates at the competitive examination in England may be taken into the Statutory Civil Service by nomination in India if they fulfil the conditions suggested by me in answer to question 31.

53. Assuming it to be advisable to appoint to the Statutory Service in India Natives who have failed in the English competition, should such persons receive the same training as successful candidates in England, and be subject to the same final examination?—I do not think this is at all necessary.

54. Should they on appointment to the Statutory Service in India be subject to the same incidents as apply to other persons appointed under the Statutory Rules?—Positively so.

55. Can you say what number of Natives belonging to your province have presented themselves annually at the competitive examination in England, and what degree of success they attained?—I have no data just now before me from which I could answer this question with anything like accuracy; but this much I can say, that, since the limit of age has been reduced to nineteen, none or very few from these provinces have presented themselves at the competitive examination in England.

56. What class or classes of Natives in your province readily go to England?—The Mussulmans and the Kayesths.

57. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—Caste restrictions are the only hindrance to their going to England. These restrictions are felt particularly by the Banias, the Brahmans, and the Rajputs.

58. Should the examination for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—There should be one and the same examination both for Hindustani and English candidates.

64. Assuming only one examination in England for both English and Native candidates, do you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates?—Yes.

65. If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage?—The Natives are placed at a disadvantage chiefly by the very low limit of age that at presents exists. The limit of age should, in my opinion, be raised to twenty-four.

66. If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates; and, if so, what should the limits for Native candidates be?—Not necessarily so. The limit of age might be raised and the advantage accruing therefrom availed of both by Europeans and Natives alike.

67. If higher limits of age were fixed for Native than for European candidates, might not the latter complain that they were placed at a disadvantage?—But why should it be so? (See question 66.)

68. What is the average age at which Natives at the Indian Universities pass the examinations for F.A., B.A., and M.A. respectively?—The average age at which Natives pass the F.A., B.A., and M.A. examinations is twenty, twenty-two, and twenty-three respectively.

69. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your province?—More or less equally from all classes.

IV.—Competition in India for the Indian Civil Service.

70. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—No; my reasons are: (*a*) It would give decided advantage to some presidencies, whereas others would lag behind and be materially nowhere in the public service; (*b*) there would be every likelihood of men of low origin creeping into the service; (*c*) after all, competition will fail to secure the best men. In India especially such will be the case.

71. How would this method of selection be regarded by the Native community generally?—It cannot be regarded favourably.

74. Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system as introduced in 1855 to secure?—Yes, I think so.

75. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others?—Yes, certainly.

76. Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—Yes.

77. Do you think there are any objections on political or administrative grounds to open competition in India?—Yes, I think so, because an open competition in India would cause discontentment among the aristocracy and the middle classes, whom it should be the policy of every wise Government to keep satisfied. Bacon says: "Certainly kings that have able men of their nobility shall

find ease in employing them and a better slide into their business, for people naturally bend to them as born in some sort to command."

78. Would the introductian of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—It would not exactly deter them, but it would at any rate make them discontented.

79. Under such a system how would it be possible to provide against Natives of a province in which education is comparatively backward being excluded from appointments in their own province?—I do not think it would be possible to provide against this calamity.

80. Would a system of provincial examinations be preferable to one examination for the whole of India?—I would not agree even to this system for reasons (*b*) and (*c*) given in answer to question 70.

82. Supposing that the Covenanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examination in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed?—Such a system will not be viewed favourably; the majority in India do not wish to see the Statutory system removed.

V.—Promotion from the Uncovenanted Service.

95. To what extent does the Uncovenanted Service in your province include in its ranks persons eligible on the ground of proved merit and ability for appointment to offices ordinarily reserved for members of the Covenanted Civil Service?—To a very limited extent. But undoubtedly there are in the Uncovenanted Service some who really deserve to be promoted to the Covenanted Service.

96. If there are such persons in the Uncovenanted Service, could they be appointed to the lowest grade of the Covenanted Service without suffering in pay?—I think they could.

98. Do you think they would be willing to forego pay for the sake of the advantages which admission to the Civil Service might afterwards bring?—Certainly not.

99. What special provision, if any, do you think should be made for the appointments to Covenanted posts of deserving members of the Uncovenanted Service?—None that I can at present think of.

100. If such appointments are made, should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service; and if so, what classes?—Yes; they should be restricted to persons holding Deputy Collectorships and Munsifships.

101. Should persons so appointed be appointed provisionally and be required to pass through a period of probation before final confirmation?—I do not think this at all to be necessary.

102. Should provision be made for the appointment of qualified members of the Uncovenanted Service to the higher Covenanted offices without requiring them to pass through the lower grades?—Certainly not.

103. If certain appointments in the Covenanted grades are set apart for the Statutory Service, should a fixed proportion of those appointments be expressly reserved for persons of proved merit and ability in the Uncovenanted Service?—There should be nothing of the sort.

104. Should special provision be made for the promotion to Covenanted posts of European members of the Uncovenanted Service?—No. The European members of the Uncovenanted Service should be subject to the very same rules as are laid down for their Native brother officers.

105. Should special provision be made for the promotion to such posts of Eurasian or other members of the Uncovenanted Service who, though not Natives of pure descent, fall within the meaning attached in the Statute of 1870 to the term "Natives of India?"—It is only just that some special provision be made for Eurasians and those other members of the Uncovenanted Service who are not Natives of pure descent. In my opinion the following conditions should be sufficient for their promotion to the Covenanted Service: (*a*) In point of education they should be fully equal to those Natives of pure origin who are promoted from the Uncovenanted Service to the ranks of the Covenanted Service; (*b*) they should be known to possess an exceedingly good and amiable disposition; (*c*) they should be men of unimpeachably good character.

106. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed?—The Uncovenanted Service may thus be left open; but the Covenanted Service never.

No. V.

MUNSHI AHMED ALI, EDITOR *Akhbar Azad*, LUCKNOW.

I.—Working of the existing Statutory System.

Vol. II. Sec. III. Sub-Sec. B. — N.-W. P. and Oudh. — Munshi *Ahmed Ali.*

1. What is the prevalent feeling in your province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general, or is it confined to certain sections of the community?—The dissatisfaction is not general, but is confined to particular classes of the community.

3. Is the feeling of dissatisfaction, if it exists, directed against the Statute itself (33 Vic., Chapter 3, Section 6), or is it directed against the rules framed thereunder?—The original law is not open to any objections, but the rules framed thereunder are objected to.

4 & 5. If the Statute is objected to, is it because its provisions admit persons to specific appointments only and not to membership in an organized Service? Are the objections based on other, and if so, what grounds?—That no special system has been established to test the qualifications of those selected, and the number of offices has been confined to a particular limit.

7. What amendments do you advocate in Section 6 of the Statute?—That either a special system or an examination is required to be retained or held to test the qualification; but in special cases the Local Government may, from its own personal experience, exempt any person from the operation of the said system or examination.

8. Do you consider that Section 6 of the Statute supplies such a definition of the words "Natives of India" as describes with sufficient clearness, fulness, and accuracy the various classes of persons for whose appointment to Covenanted posts it is desirable to provide?—It is sufficient, and the whole population of India under the British rule is covered by it.

9. If not, can you suggest any more complete or more satisfactory definition?—No need of modification; but if an exhaustive exposition is required, the addition of the following sentence would do better: "All the subjects of Her Majesty in India, without any distinction of religion and tribe."

12. Assuming the Statutory system to be retained, what amendments would you suggest in the rules with a view to remove any reasonable objections which may be felt to them?—None.

13. Are Statutory Civilians regarded by the general public as occupying a position inferior to that of persons who enter the Covenanted Service through the competitive channel?—Yes.

14. If such a feeling exists, on what grounds is it based?—(*a*) Deficiency (1) in qualification (2) in pay; (*b*) The limited state of promotion.

15. Do the general public view with any difference the status of Statutory Civilians and that of Uncovenanted officers?—It is viewed with some difference by the general public, but not by special sections of the community.

II.—Mode of selection of Statutory Civilians.

17. On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your province?—It will be favourably regarded if proper qualifications are prescribed.

18. How would a system of nomination to be followed by a period of probation be regarded by the same classes?—Useful, but in case of incapacity the candidate should be excluded from the service.

19. Would a system of nomination, with or without probation, be likely to secure well-qualified persons?—Yes, but not without probation.

20. Has experience actually shown such a system to secure well-qualified officers?—Well-qualified officers are secured to a limited extent, but the larger number are not qualified.

21. Do you consider that nominations should be confined to persons of proved merit and ability?—We do not require the power of nomination to be limited. The selections should be made by the Local Government and the selected persons required to appear in a limited competitive examination to be held in the province; but the Local Government should have power to exempt any person whose capacity it has tested or has the reasonable grounds for accepting as satisfactory.

22. If so, how do you consider that merit and ability should be held to have been proved for this purpose?—(*Vide* question 21.)

23. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded?—The persons nominated by the University would be worth little credit, besides which it would be politically inexpedient to adopt this course. The persons nominated by the Local Government would be accepted with confidence, for the Local Government, and not the University, would have a full knowledge of the education, religious bigotry, conduct, and respectability of the family, which in itself carries some influence, and of the political exigencies and conditions of different provinces.

24. In preference to either of the above systems (nomination and limited competition) would a system of open competition, pure and simple, for the Statutory Service commend itself to the Native community?—No.

25. If competition (whether limited or open) is preferred, should there be one competition for all India, or separate competitions in each province in ? There should be separate limited competition each province.

27. Having regard to the varying educational standards reached in the several provinces, and the varying conditions prevalent therein, is it possible to have any one system of selection for all India which would not result in the inhabitants of some provinces being more or less excluded from a due share of appointments ?—It is impossible to have one system of selection for all India.

28. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age; (2) intellectual capacity; (3) moral, social, and physical fitness ?—Yes.

29. If so, what should be the tests under each of the heads specified ?—(*a*) The test of age from the birth register kept in the Government office; (*b*) of intellectual capacity by limited competition, and in case of exemption by the order of the Local Government; (*c*) of moral and social fitness from the evidence of local officers; (*d*) and of physical fitness from the certificate of the doctor.

30. Do you consider that (after selection, whether by nomination or competition) there should be a period of probation ?—Yes; there should be a period of probation.

31. If so, what should be the duration of the probationary period ?—At least one year for the Statutory service.

33. Do you consider that, after selection and before entering on probation (or on duty), the person selected should undergo special training ?—Not on the part of the Government, but means of encouragement should be carried into effect.

34. If so, should the special training be carried out in India or in England ?—In neither place on the part of the Government.

35. If in India, would it be possible, and, if possible, advisable, to establish in India a Civil Service College on the basis of the Haileybury College which formerly existed in England ?—It is neither possible nor proper with regard to the different educational conditions prevalent in different provinces.

36. If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service ?—Yes, if they wished to go of their own accord.

37. If so, what form should such encouragement take ?—Promotion in the service and higher pay than those who do not like to leave India, but less than those who have passed the open competitive examination in London.

38. Should it be offered before, or during, or after, the probationary period, if any, through which nominees or selected candidates may be required to pass ?—During the probationary period.

40. Are you in favour of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service ?—We are not in favour of the establishment of scholarships, but wish it to be left to self-help.

42. Do you think that any distinction should be made between the emoluments of nominees or selected candidates who have been trained in England or have gone to England to add to their qualifications and those who have not ?—The distinction is necessary.

43. If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent ?—To a certain extent.

III.—Competition in England for the Indian Civil Service.

46. Is competition of Natives in the examination in England favourably looked upon by large and important classes in India ?—It is favourably looked upon by the more important classes of the community, but not by illiterate or prejudiced persons.

47. Should additional facilities be given to Natives for proceeding to England and entering the Indian Civil Service by the channel of the English competition ?—Facilities should be given.

48. If so, what form or forms should such facilities take ?—Age from nineteen to twenty-two years. The same marks as are allotted to Latin should also be allotted for both Sanskrit and Arabic, and the Persian language should be substituted for French and Italian.

49. What conditions, if any, should be attached to them ?—They should be offered to persons who have matriculated at the least.

50. What is your opinion as to giving Statutory appointments to Natives who, though they may have failed to secure a place amongst the successful candidates, have shown merit in the English competition ?—They might be nominated, but only by the special sanction of the Local Government, regard being had to political considerations governing the people of different tribes, religions, thoughts, and manners.

51. Assuming it to be advisable to appoint to the Statutory Service in India Natives who have failed in the English competition, should such persons receive the same training as successful candidates in England and be subject to the same final examination ?—Training should not be given; any candidate who has failed in the English open competition might, with the previous sanction of the Local Government, be admitted to a limited competition in order to come within the rules framed for persons who desire to visit London to undergo probation.

52. Should they on appointment to the Statutory Service in India be subject to the same incidents as apply to other persons appointed under the Statutory rules ?—Yes.

53. Can you say what number of Natives belonging to your province have presented themselves annually at the competitive examination in

England and what degree of success they attained?—None.

54. What class or classes of Natives in your province readily go to England?—The Natives of the upper and middle classes.

55. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—Bigoted persons advance the objection that those who visit London do not care for religion, and their moral character undergoes a change.

56. Should the examinatien for Natives in England be distinct in standards and conditions from that for English candidates, or should there be one and the same examination for all?—One and the same for all.

62. Assuming only one examination in England for both English and Native candidates, do, you consider that the subjects and standards of examination and the conditions as to age and other matters in any respect place Native candidates at a disadvantage as compared with English candidates?—Yes.

63. If so, in what respects are Native candidates placed at a disadvantage, and what alterations would you recommend with a view to remove that disadvantage?—It is impossible for a candidate aged seventeen or eighteen to visit London and pass the examination at the age of nineteen; the deficiency of mark allotted to Arabic and Sanskrit in comparison with those fixed for Latin, and the non-substitution of Persian for French are injurious to them.

64. If there should be only one examination for all candidates, should the limits of age for Natives be higher than those at present fixed for European candidates; and if so, what should the limits for Native candidates be?—Should not be higher.

67. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your province?—The Bengalis and the lower classes of Natives.

IV.—Competition in India for the Indian Civil Service.

68. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—We do not advocate competition in India, for it (India) has not as yet reached its culminating point of civilisation. In our opinion the Civil Service question has been brought under discussion thirty years before the time; but, it having been brought under discussion, it is necessary to form opinions as to its settlement.

73. Would an open competition in India be likely to give decided advantages to any particular class or classes of the Native community over others?—It will give decided advantages to the Bengalis over the others.

74. Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—It would be likely to lead to the undue preponderance of the Bengalis and the lower classes.

75. Do you think there are any objections on political or administrative grounds to open competition in India?—The preponderance of the Bengalis would result in general dissatisfaction, but that of the lower classes (which carry no influence) would create among noble families a dissatisfaction which would go against the Government.

76. Would the introduction of an open competitive examination in India have the effect of deterring cadets of leading families from aspiring to enter the ranks of the Civil Service?—Yes.

79. Under a system of open competition in India would the successful candidates be regarded as occupying a position inferior to that of persons who enter the service through the channel of the open competition in England?—Yes.

80. Supposing that the Covernanted appointments were allotted in fixed proportions, a certain number to be obtained by competition in England and a certain number by competition in India, the examinations in each case being open on fairly equal conditions to Native and English candidates alike, and the Statutory system being abolished, how would such a system be viewed?—We are not at present of opinion that it would be advantageous to either the Government or the people to hold the competition in India or to abolish the Statutory Service.

V.—Promotion from the Uncovenanted Service.

93. What special provision, if any, do you think should be made for the appointment to Covenanted posts of deserving members of the Uncovenanted Service?—When, in the opinion of the Local Government, any political exigency arises for such an appointment it should be made; also when the highest qualifications become apparent.

94. If such appointments are made, should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service; and if so, what classes?—To the same appointments which may be open to the Statutory Civil Servant who did not desire to visit England to undergo probation.

95. Should a person so appointed be appointed provisionally and be required to pass through a period of probation before final confirmation?—No.

96. Should provision be made for the appointment of qualified members of the Uncovenanted Service to the higher Covenanted offices without requiring them to pass through the lower grades?—Yes; but subject to the opinion of the Local Government.

98. Should special provision be made for the promotion to Uncovenanted posts of European members of the Covenanted Service?—Yes; but subject to the opinion of the Local Government.

99. Should special provision be made for the promotion to such posts of Eurasian or other members of the Uncovenanted Service who, though not Natives of pure descent, fall within the meaning attached in the Statute of 1870 to the term "Natives of India"?—Yes.

100. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed?—Yes, in common justice, it should be so open.

VI.—Pay, Leave, and Pension for Natives of India appointed to Covenanted posts otherwise than through the channel of competition in England.

102. Is the rate of pay at present granted to Statutory Civilians during probation and on final appointment respectively sufficient?—Yes.

108. Do you consider that a difference should be maintained between the rates of pay granted to Covenanted Civilians who enter through the competitive channel in England and to persons holding Covenanted posts who do not enter through that channel?—A difference should necessarily be maintained.

109. If so, what would you consider the fair rate of reduction to be made in the care of persons holding Covenanted posts who do not enter through the competitive channel in England?—Those who undergo probation in London, and those who remain in India, should receive one-fourth and one-third, respectively, less than the pay of a candidate who has passed the London competitive examination.

110. Would you approve of an arrangement by which the pay of appointments would be a fixed sum to be drawn by the holder, whether he is a Covenanted or a Statutory Civilian, with an additional staff allowance to be drawn by those only who enter the service through the examination in England?—No.

115. At what age do you consider that Natives appointed to Covenanted posts otherwise than through the competitive channels in England should be entitled to retire on pension?—At the age of sixty years.

116. After what length of service do you consider that such persons should be entitled to retire on pension?—After a service of thirty-eight years.

117. At what age should they be obliged to retire on pension?—At the age of sixty-two years.

118. After what length of service should they be obliged to retire on pension?—After a service of forty years.

VII.—General.

121. How far is the existing system of education in the higher schools and colleges in India well adapted for training young men to the public service? Can you suggest any improvements?—I can suggest nothing for training young men to the public service; but it is possible that some books containing the principles of law might with advantage be included in the course of study.

122. In 1854 Lord Macaulay's Committee were of opinion that the best, the most liberal, and the most finished education to be procured in England was a necessary qualification for admission to the Civil Service. Do Indian schools and colleges at present supply an education of so high a standard?—No.

123. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—No.

124. Do we now obtain for Government service Natives of the classes who under Native rule carried on the civil adminstration of the country?—Very little of them.

125. If not, where must we look for representatives of these classes, and how do you consider that their services could be best obtained?—By the special attention of the Local Government, and specially of the local officers.

126. How far would any system of appointment which involves a journey to and residence in England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—So far as the caste system and religious prejudices prevail.

127. How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to and residence in England?—It would be open to objection if the journey to and residence in London be made compulsory.

128. Are the Natives who go to England from your province for purposes of education limited to the wealthier classes?—If not wealthy, they can go by raising subscriptions.

129. Are they limited to any particular section of the community or to any particular creed?—No; two Mahomedans went to pass the Geological examination and one Hindu (Kashmiri) to pass the Bar examination from Oudh.

130. Does a voyage to or residence in England involve the loss of social position or other unfavourable consequences in the case of any section of the Native community?—Among several classes of the Hindus it does.

131. Does it result in placing those Natives who undertake it more or less out of touch and sympathy with their fellow-countrymen on their return to India?—Yes; persons who are strict in their religious observances, who are in abundance now, will be excluded.

137. Whatever system or systems may be adopted, ought power to be reserved to Government to appoint to Covenanted posts candidates of high family, subject to such antecedent guarantees of fitness as may be considered sufficient in each case?—Such powers ought to be reserved to Government, but should be used only in exceptional cases.

139. If a thorough knowledge of English were made an essential qualification for appointment to Covenanted posts, would the field of selection in the case of persons already in the Uncovenanted service, or engaged in the exercise of a profession, be unduly limited thereby?—Yes.

141. Should provision be made for the occasional appointment in very special and exceptional cases to Covenanted posts of persons of known ability and local influence whom, although they may never have held office and may not possess special professional qualifications, and although their age may exceed the limit laid down for untried candidates, it might nevertheless be considered desirable to appoint to the higher grades for political or other reasons?—Yes; and political reasons should be given priority.

144. How far should appointments in each province to Covenanted posts be restricted to Natives of the province concerned?—As far as possible.

145. How would the following scheme be regarded by the Native community?—(1) The Covenanted Civil Service to be reduced to a fixed number of European officers, admission being by competition in England confined to European candidates only. (2) The appointments taken from the Covenanted Civil Service to be filled by appointment in India, Natives only being eligible.—I would not reduce the Covenanted Civil Service. Reduction is sure to bring "direful consequences;" but if you reduce, try to reduce only by a possible minimum.

146. How would you regard such a scheme?—It will have a bad effect.

147. How would the Native community regard the following? (1) The Covenanted Civil Service to be reduced to a fixed number of appointments to be filled by competition in England to which Natives and Europeans alike would be admitted. (2) The appointments taken from the Covenanted Civil Service to be filled by appointment in India, both Natives and Europeans being eligible.—As the best scheme.

148. How would you regard such a scheme?—With favour.

155. How would the Native community regard a system of nomination on the ground of merit and ability shown in the service of Government, or in the exercise of a profession, alternating with a system of selection by means of competition, whether entirely open or amongst nominated candidates?—Unfavourably.

156. How would you regard such a system?—As unjust.

157. If the Statutory system were maintained, and if a probationary period were required from nominees or selected candidates before final appointment, would it be necessary to insist upon such probationary period in all cases,—*e.g.*, in the case of a person who has done good service in the Uncovenanted ranks?—The Government may exempt any candidates, subject to regulations.

160. On what principles should the promotion of Natives appointed to Covenanted posts otherwise than by the channel of the competition in England be regulated?—By seniority and efficiency.

161. Would you regulate such promotion only by considerations of fitness and approved personal merit?—No. It is difficult to establish any principle.

162. Should subjects of Native States be eligible for appointment to Covenanted posts in British India?—Yes.

163. If so, should this be extended to all Native States in alliance with the Crown, or only to those in subordinate alliance?—Only to dependent Native States.

164. What system, if any, is at present adopted in your province for bringing into the public service persons who, from their position or otherwise, cannot be expected to enter the service of Government in the lowest grades, and for giving them the necessary apprenticeship?—The training is given after the entry of the name in the list of the candidates.

165. Does the system work well, and what improvements can you suggest?—None; perhaps it would be impossible to establish any special principle.

VIII.—Composition, Recruitment, &c., of the Subordinate Executive and Subordinate Judicial Services.

166. How is the present system of regulating appointments to the Subordinate Executive and Subordinate Judicial Services respectively regarded by influential sections of the Native community?—Good.

169. Do Natives who have been to England for purposes of study on their return to India willingly accept such appointments?—No.

176. Are you in favour of laying down a rule that high educational capacity should be regarded as an essential qualification for appointment to the Subordinate Executive and Subordinate Judicial Services as defined for the purposes of these questions?—No.

179. Generally, what system do you advocate for filling appointments in the Subordinate Executive and Subordinate Judicial Services as above defined?—We advocate the existence of the present system as long as education is in an unimproved state.

181. Is it possible to devise any one system which would be equally applicable to all provinces, having regard to the varying educational standards reached in the several provinces and the varying conditions prevalent therein?—It is impossible for any one system to be equally applicable to all provinces.

184. If an open competitive examination were held in India for the Covenanted posts reserved for Natives, would persons who gained high marks in that examination and showed decided proficiency, but who failed to secure a place amongst the successful candidates, form suitable nominees for Subordinate Judicial and Executive appointments in the Uncovenanted Service?—Yes; but under the sanction of the Government, and not of right. Such a system would interfere with the regular flow of promotion, and this might sometimes be unjust.

No. VI.

RAJA SIVA PRASAD, C.S.I., BENARES.

Preamble.

If the motto of the Commission is, as the Honourable President says, "the firm and efficient government of the Empire," I do not think there can be even a single dissentient voice in acknowledging that the "true interests of the people" lie there, and there only. I am against such Commissions as the one sitting now on the Public Service; they unsettle the minds of the people, create false hopes, lead to disappointment, and increase discontentment. It is just like the man who sowed a seed and was taking it out of the earth every day to see how it was germinating. They have to go over the trodden and re-trodden grounds, and I pity the waste of labour and energy. I well remember the days of the mutinies. The Government asked everybody to put down on paper the facts he knew, the opinion he had, and the suggestions he could offer for the better. Volumes after volumes have been printed. What was the pith and conclusion of all that? The more you introduce here the English blood, and the more you bring in the English knowledge, the more your Government becomes "firm and efficient." Why was the Native artillery abolished? Why was the Native army reduced? Why was the European strength increased? Is the lesson of 1857 quite forgotten? It is too soon for that. One Mr. Venable, an indigo planter, single-handed drove out the rebel Kuwar Singh from Azamgarh and maintained order there, when Nana Rao, the adopted son of the ex-Peishwa, had given an order to cut off the ears and noses of all the Natives who could speak English in Cawnpore. What would be the state of affairs at Delhi or Etawah even to-day if you were to appoint a Hindu or Mahomedan Magistrate (District Officer) there? Do not touch the Covenanted Civil Service. Do not reduce in any way its position, pay, or number. You must come to grief sooner or latter if you do so. The more you contract the fields of selection for your Commissioners, the Members of the Board of Revenue, the Secretaries, the Agents, the Councillors, the Chief Commissioners, and the Governors, who must have the experience of district work, the more you will make to suffer the "efficiency of the administration." Even in the Uncovenanted Service there are many appointments, like that of the District Superintendent of Police, which you cannot give to Natives. With this preamble I take up my pen to write answers to your queries, and that will not occupy much of your time.

I.—Working of the existing Statutory Service.

1. What is the prevalent feeling in your province regarding the existing Statutory system? If the feeling is one of dissatisfaction, is the dissatisfaction general, or is it confined to certain sections of the community?—The Statutory Civilians, their relatives, and those who think themselves fit for and want that service, are dissatisfied, because many more are not employed, and those who are employed are not made at once District Officers or promoted to Commissionerships. In fact they have not the least hope of ever rising beyond a Joint-Magistracy. The public in general take them as a kind of Deputy Collectors, and are glad that districts are not placed in their charge.

2. What are the grounds upon which any such feeling is based?—Want of mutual trust amongst the Natives.

5. Are the objections based on other, and if so, what grounds?—We take English gentlemen as the kith and kin of our Empress, like our Rajputs (sons of kings), and cheerfully submit to their rule. We do not mind if their parents are butchers or washermen in England; but if our servants, our subordinates, our tenants and our low-caste people are placed over our heads by the virtue of education or examination, even in England, we naturally groan and complain. Our Maharaja's barber Thakur Khawas' son is a Munsarim or Munsif in Oudh. Can you allow any chance of his becoming Deputy Superintendent, Family Domains? I cannot persuade myself to regard with equanimity my assistant's son, Mr. Tresham, as an Agent to the Governor-General of India.

7. What amendments do you advocate in Section 6 of the Statute?—Cancel Section 6 of the Statute and abolish the Statutory Civil Service.

8. Do you consider that Section 6 of the Statute supplies such a definition of the words "Natives of India" as describes with sufficient clearness, fulness, and accuracy the various classes of persons for whose appointment to Covenanted posts it is desirable to provide?—The definition will be more satisfactory certainly to my countrymen if you, in Section 6, for "Natives of India shall include any person born and domiciled within the dominions of Her Majesty in India, of parents habitually resident in India, and not established there for temporary purposes only" put the following: Natives of India will mean Mahomedans (including Parsis) or Hindus of high caste descended from titled persons.

9. If not, can you suggest any more complete or more satisfactory definition?—See above.

11. Do they relate to the general conditions in regard to pay, promotion, and retiring annuity under which Statutory Civilians hold their offices?—For a hundred rupees per mensem you can get a Native of any stamp. All appointments can be held as honorary. To pay the same to a Native as you pay to a European is simply throwing away money.

13. Are Statutory Civilians regarded by the general public as occupying a position inferior to that of persons who enter the Covenanted Service through the competitive channel?—Of course.

14. If such a feeling exists, on what grounds is it based?—Because no one of them has yet become a Commissioner, nor ever will become one.

II.—Mode of selection of Statutory Civilians.

33 & 34. Do you consider that after selection and before entering on probation (or on duty) the person selected should undergo special training? If so, should the special training be carried out in India or in England?—English education in England is a necessity. They must pass there; but they must leave India before they are three years old, otherwise they will never be able to shake off the evil habits and evil notions which they acquire in our zenana.

40. Are you in favour of the establishment of scholarships tenable by natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service?—Such paupers who have no means to live in England ought not to fill the service.

III.—Competition in England for the Indian Civil Service.

46. Is competition of Natives in the examination in England favorably looked upon by large and important classes in India?—No; it is an attraction to Mahomedans and a premium set on apostacy for orthodox Hindus. Complete the railway to Herat, join it to the Russian system, and open an overland route for Hindus to go to England, then open the service to them. We have no objection to cross the Caspian, which is a *jhil*, and the British Channel, which takes a few hours.

54. What class or classes of Natives in your province readily go to England?—Mahomedans, low-caste Hindus, and those Hindus who are not true Hindus.

55. Are objections entertained to going to England; and, if so, what are they, and by what classes in particular are they felt?—Orthodox Hindus have religions objections.

67. From what classes of Native society are the persons who graduate at the Indian Universities usually drawn in your province?—Generally from Bengalis and poor people, the seekers of employment.

IV.—Competition in India for the Indian Civil Service.

68. Do you advocate a competition in India for the Civil Service simultaneously with the competition in England, the same question papers being used at both examinations?—Never, never.

69. How would this method of selection be regarded by the Native community generally?—The shortsighted seekers of employment will hail the "method" with joy.

72. Do you consider that the educational institutions available in India are at present capable of giving the very high class education which it was the object of the competitive system as introduced in 1855 to secure?—No.

74. Would it be likely to lead to the undue preponderance of any one class or caste in the public service?—Yes; Bengalis.

75. Do you think there are any objections on political or administrative grounds to open competition in India?—See my preamble.

83. If an open competition were established in India, what should be the preliminary qualifications required on the part of candidates in regard to moral, social, and physical fitness?—What can I say for those who are naturally timid and slothful? They are bred in chicanery and intrigue, and are brought up amidst ignorance and folly.

V.—Promotion from the Uncovenanted Service.

93 & 94. What special provision, if any, do you think should be made for the appointment to Covenanted posts of deserving members of the Uncovenanted service? If such appointments are made, should they be restricted to the holders of any particular classes of appointments in the Uncovenanted Service; and if so, what classes?—Deputy Collectors may be appointed Joint Magistrates, and Subordinate Judges, Judges.

100. Ought not the Uncovenanted Service, equally with the Covenanted Service, to be open to all natural-born subjects of Her Majesty who possess the qualifications that may be from time to time prescribed?—Of course.

VI.—Pay, Leave, and Pension for Natives of India appointed to Covenanted posts otherwise than through the channel of competition in England.

102. Is the rate of pay at present granted to Statutory Civilians during probation and on final appointment respectively sufficient?—More than sufficient: liberal.

VII.—General.

122. In 1854 Lord Macaulay's Committee were of opinion that the best, the most liberal, and the most finished education to be procured in England was a necessary qualification for admission to the Civil Service. Do Indian schools and colleges at present supply an education of so high a standard?—No; Lord Macaulay was a sensible man.

123. Do you consider that Indian schools at present develop the force of character and other qualities required for English administration?—No.

124. Do you now obtain for Government service Natives of the classes who under Native rule carried on the civil administration of the country?—I do not think there was any "civil administration" under the Native rule (read my History of Hindustan, Part III, pages 75 to 78).

125. If not, where must we look for representatives of those classes, and how do you consider that their services could be best obtained?—In Hyderabad and Bhopal I can take a contract

to supply you with as many as you want without pay.

126. How far would any system of appointment which involves a journey to and residence in England be regarded by the Native community as open to objection on the ground that it requires Hindu candidates to abandon their caste as a condition of entering the Civil Service?—See above.

127. How far would such a system be regarded as open to objection on the ground that it restricts the field of selection to those candidates who are wealthy enough to undertake the cost of a journey to and residence in England?—See above.

128. Are the Natives who go to England from your province for purposes of education limited to wealthier classes?—See above.

129. Are they limited to any particular section of the community or to any particular creed?—See above.

130. Does a voyage to or residence in England involve the loss of social position or other unfavourable consequences in the case of any section of the Native community?—See above.

131. Does it result in placing those Natives who undertake it more or less out of touch and sympathy with their fellow-countrymen on their return to India?—See above.

132. Would the requirement of a temporary residence in England as a condition precedent to, or following on, appointment to the Government service have the effect of excluding from such appointment any considerable or important section of the Native community?—See above.

No. VII.

C. H. ROBERTS, ESQ.; EXTRA ASSISTANT COMMISSIONER, KUMAON.

I.—Statutory Civil Service.

Vol. II. Sec. III. Sub-Sec. B.

N.-W. P. & Oudh.

C. H. Roberts, Esq.

1. Is the existing system of appointing Natives as Statutory Civilians to posts reserved for the Covenanted Civil Service approved?—No. The pay of the Statutory Civilians being fixed at a lower rate than for Covenanted competitive passed Civilians, it is considered that the men are branded as distinctly inferior. Some consider them as given a sort of compassionate allowance in consequence of their being of good family.

III.—Uncovenanted Service.

1. Should the Uncovenanted Service be recruited only from Natives of India as described in Statute 33 Vic., Chapter 3, Section 6, or from all natural-born subjects of Her Majesty?—The Uncovenanted Service should be recruited from all natural-born subjects of Her Majesty. By Uncovenanted Service is meant Tahsildar grade, Extra Assistant Commissioner and Deputy Collector grade. The number of members of European descent and the number of Asiatic descent should be fixed by Local Administrations by known requirements.

2. Should the recruitment be by competition or by nomination, or by both systems combined; and if by both combined, should one system be applied to all offices or classes of offices, or should the system be varied with the class of offices?—By nomination alone. A certain standard of education being alone required, competition is not suited for selection of Natives of India, because loyalty, family, caste standing, and power to govern cannot be assumed in them.

3. Whatever system be adopted, should the recruitment be made by the several Administrations only from persons resident in the territories under such Administrations respectively, or with a preference for such residents?—The number of members of the Uncovenanted Service being fixed by the Local Government, and it being settled that a certain proportion should be of European descent and a certain portion of Asiatic descent, it should be declared what particular appointments can be held by Europeans and what by Natives. There are certain appointments for which Europeans are better adapted than Natives of India, such as managers of Government estates, outlying jungle districts, and hill appointments. Most of these appointments do not carry with them the rate of pay that would satisfy a Covenanted Civilian for any time, and where Europeans are required for such special appointments they can only be obtained by drafting from the higher Uncovenanted Service or by obtaining recruits from the planting or mercantile community. Recruits should be obtained from amongst the residents of the particular Local Administration to which appointed in the case of Asiatics. In the case of Europeans a knowledge of the local vernacular should be required.

In many cases men of other provinces are looked on with great disfavour. Take, for instance, the particular division in which I am serving,—"Kumaon;" it is entirely peopled by hill men with distinct local customs, manners, and language.

The ordinary Native of the plains of Hindustan, more especially the Bengali, is looked on with great aversion, and he would have no influence whatever with hill men. All departments of the State have found that whilst working here they can only work through the hill men with European agency. There are, with perhaps but only one or two exceptions, no old families of nobility in the hills to the scions of which superior appointments in the higher grades of the Uncovenanted Service could be given, and even the few there may be are tainted with fraternal feeling, the hill men being very clannish. It will, in my opinion, be always necessary to govern in Kumaon through European agency as far as the higher Uncovenanted Service is concerned, more especially as the youthful population are much averse to leaving the hills in search of University and collegial training elsewhere.

The same may be said more or less of the inhabitants of all backward districts. The European is welcomed by them as bringing progress. The Native of another province is always looked upon with suspicion, which it often takes long to conquer.

I think certain of the higher appointments now held exclusively by the Covenanted Service should be opened out to members, European and Native, of the Uncovenanted Service.

Europeans and Natives alike should draw the full pay. I would have no Statutory Service as at present, which is not prized by the people for whose benefit it is created; it is branded as a less superior service to the Covenanted Civil Service. If a man does the work he deserves the pay. The whole tone of the Uncovenanted Service would improve if brighter prospects were held out to excite ambition. Reward should be by merit and not by seniority alone.

The only distinctions I would advise as between Native and European would be in regard to leave and pension rules. A man serving in his own province and climate undoubtedly requires less leave than a foreigner. Leave on the scale granted to Covenanted Civilians should be granted to all Europeans in the superior grades, a portion of the period counting for pension.

With regard to retiring annuity or pension, the present rates to which Uncovenanted Servants are

entitled are grossly inadequate. The graduation of pension to length of service should be entirely altered. One-sixtieth of pay for each year of service should be calculated for purposes of pension, annuity or pension being allowed after fifteen years' service where a medical certificate was granted, and after twenty years' service without medical certificate.

In the case of European officers some allowance should be made for loss by exchange. Pensions should be fixed in sterling, and compensation might be allowed in case of a marked fall, a deduction being made in case of unprecedented rise. Thus, taking the rupee at 1*s.* 8*d.* as the normal rate, compensation might be given where the fall was below rupee = 1*s.* 6*d.*, 1*s.* 4*d.*, 1*s.* 2*d.*, respectively, according to a fixed scale. Similarly, where the rupee went up beyond 1*s.* 8*d.*, the pension should be reduced, a rise or fall of 2*d.* a rupee being fixed as the limit for which Government would grant or claim compensation.

Pensions are given to keep a man in declining years as well as to offer an inducement to retire so as to keep up an even flow of promotion. Until Government recognise the fact that loss by exchange seriously affects the amount of pension in the case of a European, Europeans once in service will go on and on delaying retirement.

A point to which no allusion has been made in the issues framed is to the different classes of mixed service in the non-regulation provinces. In the North-West Provinces there are attached to the Local Government, and forming part of it, three distinct local non-regulation provinces—Oudh, Jhansi, and Kumaon. In these provinces there are (1) members of the Covenanted Civil Service selected by competition; (2) military members in Covenanted Civil Service posts; (3) Uncovenanted members in posts usually reserved for members of the Covenanted Service; (4) Extra Assistant Commissioners, Native and European, forming a distinct class.

Members from class (4) were occasionally promoted into the upper grades—Assistant Commissioners, Deputy Commissioners, and Commissioners manned by (1), (2), and (3) classes. Promotion in the upper grades went chiefly by seniority, military and Uncovenanted men dating service from promotion into grade. Of late, however, the Local Government have fused all promotions into one general list for the combined provinces—North-West Provinces and Oudh.

This tells most adversely against military and Uncovenanted officers; it narrows their field for promotion. Certain posts are allotted to Covenanted men in the North-West Provinces proper who may never join the local Commission; this stops all promotion in the non-regulation provinces. Formerly members of non-regulation provinces had some definite steps of promotion to look to; they now have none. A vacancy occurs, some one from the North-West Provinces is gazetted, only acting steps going to junior men. A glance at the North-West Provinces Civil List will show anomalies: A senior colonel is in the second grade of Assistant Commissioner in Jhansi (though fortunately for him he is able to draw military pay), whilst a junior Civilian in Kumaon of three years' standing holds charge of a district. Men declared eligible for promotion from the Uncovenanted grade to Assistant Commissioner so far back as 1877 by the Secretary of State remain unpromoted.

When vacancy after vacancy is absorbed by promotion from an outside province solely to allow the recipient to draw a higher rate of acting allowance in some other post, it follows that promotion for local officers must be much retarded.

It is in the power of the Public Service Commission to advise a remedy for this by declaring that no outsider—*i.e.*, one not a member of the local Commission, should be appointed to it unless he is senior, to all members therein, or unless it can be shown to satisfaction that members of such local non-regulation Commission are unfit for promotion.

When the Secretary of State has declared in favour of any particular officer as eligible for promotion, his service as regards upper grades to which declared eligible should be computed from the date of such despatch.

No. VIII.

MIRZA AGHA ALI, KHAN BAHADUR, RAIS, LUCKNOW.

II.—Mode of selection of Statutory Civilians.

Vol. II
Sec. III.
Sub-Sec. B.

N.-W. P. & Oudh.

Mirza Agha Ali,
Khan Bahadur.

17. On the assumption that the Statutory system is retained, how would appointment to the Statutory Service by nomination be regarded by influential sections of the Native community in your province?—They would regard it favourably, because in this case respectable Native gentlemen of high families and of average abilities will not be excluded merely for want of a knowledge of the English language.

18. How would a system of nomination to be followed by a period of probation be regarded by the same classes?—They would like it.

19. Would a system of nomination, with or without probation, be likely to secure well-qualified persons?—Yes, it would secure well-qualified persons, but after a little training in the work they will have to do.

20. Has experience actually shown such a system to secure well-qualified officers?—Yes, it has.

21. Do you consider that nominations should be confined to persons of proved merit and ability?—Yes, it should be confined to such persons.

22. If so, how do you consider that merit and ability should be held to have been proved for this purpose?—By any method which the Local Government may think proper.

23. How would a system of limited competition amongst persons nominated for this purpose by the Local Governments or by the Universities, or by those authorities concurrently or alternately, be regarded?—The system at present in force in North-West Provinces and Oudh will do very well.

24. In preference to either of the above systems (nomination and limited competition), would a system of open competition, pure and simple, for the Statutory Service commend itself to the Native community?—No.

25. If competition (whether limited or open) is preferred, should there be one competition for all India or separate competitions in each province?—In case competition is preferred, there should be a separate competition for each province.

27. Having regard to the varying educational standards reached in the several provinces, and the varying conditions prevalent therein, is it possible to have any one system of selection for all India which would not result in the inhabitants of some provinces being more or less excluded from a due share of appointments?—One system will not do.

28. Under any of the three systems of nomination, limited competition, and open competition, would you prescribe any tests of preliminary qualifications on the part of nominees or candidates in regard to (1) age; (2) intellectual capacity; (3) moral, social, and physical fitness?—Yes, there should be such tests.

29. If so, what should be the tests under each of the heads specified?—Government should prescribe these tests after consultation with respectable Native gentlemen, and the mode of testing should be left to the discretion of the former.

30. Do you consider that (after selection, whether by nomination or competition) there should be a period of probation?—Yes, there should be such a period.

31. If so, what should be the duration of the probationary period?—A period not exceeding two years.

32. Should the period of probation be passed in the ranks of the Uncovenanted Service, or of the Covenanted Service, or in what other manner?—It should be passed in the ranks of the Covenanted Service.

33. Do you consider that after selection and before entering on probation (or on duty), the person selected should undergo special training?—Yes, he should.

34. If so, should the special training be carried out in India or in England?—In India.

35. If in India, would it be possible, and, if possible, advisable, to establish an Indian Civil Service College on the basis of the Haileybury College which formerly existed in England?—There should be a special college for this purpose in India.

36. If you do not consider special training in England essential, would you encourage nominees or selected candidates to visit England with a view to add to their qualifications for the service?—Yes, we would.

37. If so, what form should such encouragement take?—It should be left to their choice.

38. Should it be offered before, or during, or after the probationary period, if any, through which nominees or selected candidates may be required to pass?—During the probationary period.

39. Should it be offered before or after the nominees or selected candidates enter on their duties?—The candidate should enter on his duties afterwards.

40. Are you in favour of the establishment of scholarships tenable by Natives in England for the purpose of enabling them to qualify for the Civil or Statutory Service?—Yes, but only in case the examination be not held in India.

43. If the opportunity of residence in England at a University for two years with a sufficient allowance were offered to nominees or selected candidates, is it likely that it would be taken advantage of to any great extent?—Yes, they are likely to take advantage of it to a great extent.

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